ENVIRONMENTAL PHILOSOPHY AFTER STANDING ROCK

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In 2016, An estimated 15,000 people representing 400 Indigenous Nations and non-indigenous allies gathered at the Standing Rock Sioux Reservation in solidarity against the Dakota Access Pipeline to protect Mni Sose, the Missouri River. They became known as the Water Protectors. This dissertation analyzes the response in environmental philosophy journals to the #noDAPL protest at Standing Rock. Even though the Stand at Standing Rock became one of the most important and monumental environmental protests of the last decade, neither Standing Rock nor the Water Protectors appear in environmental philosophy journals at all--not once. Why? I suggest a possible answer by exploring the Stand of the Water Protectors as a moment in a much longer continuous history of resistance to settler colonialism.

Settler colonialism attempts to facilitate the erasure of Indigenous populations by colonial ones, in order to gain access to territory—to land. The omission of Standing Rock from environmental philosophy journals represents the ease with which environmental philosophy can become complicit in the project of settler colonial erasure and replacement through absence. Drawing on Indigenous land-based philosophies of kinship, Latin American decolonial philosophy, settler colonial theory, and frameworks of Indigenous environmental justice, I show how the geo-politics of colonialism have come to produce environmental injustice and planetary ruin. I work to break the silence on Standing Rock in environmental philosophy and allow the Water Protectors example to guide the project toward an environmental philosophy which centers colonialism and Indigenous resurgence as core concerns.

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This dissertation was researched and written on the occupied/unceded/seized territory of the Wichita and Caddo Affiliated Tribes. My recognition of this land is meant as an expression of gratitude and appreciation to those whose territory I reside on.

I want to thank the Water Protectors who show us how to have just relations with each other and the land. The best hope for a sustainable future lies with communities like the Standing Rock Sioux Tribe, who take their responsibilities to the lands and waters so seriously that they risk their bodies and lives to defend them. I write this dissertation in gratitude for the Water Protectors who act with such formidable vision, unyielding strength, and seemingly inexhaustible capacity for care. Their efforts benefit all people, myself included, and for this I want to express my deepest thanks.

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INTRODUCTION

There is a Lakota prophecy which speaks of Zuzeca Sapa, a great Black Snake, which will spread across the land poisoning the water and bringing destruction to the people.[1] In 2016, the Black Snake arrived in the form of the Dakota Access Pipeline (DAPL), a $3.8 billion, 1,172-mile conduit for crude oil passing across the land, underneath the waters, and through the great plains. The DAPL is one of many pipelines which carries, and leaks, water-destroying oil in the United States. The reason for its particular significance, and the association to prophecy, is the historic and powerful resistance with which its construction was met at the Standing Rock Sioux Reservation in 2016.[2] An estimated 15,000 people representing 400 Indigenous Nations and non-indigenous allies gathered at Standing Rock in solidarity against the Black Snake to protect Mni Sose, the Missouri River.[3] Together, they became known as the Water Protectors.

Under banners and chants of Mni Wiconi (Water is Life) and organized around the hashtag #noDAPL, the Stand at Standing Rock became one of the most important and monumental environmental protests of the last decade. And yet, neither Standing Rock nor the Water Protectors have been met with much attention in environmental philosophy journals. In fact, as of 2020, the events at Standing Rock do not appear in mainstream environmental philosophy journals at all--not once. Why? In this dissertation, I suggest a partial answer by exploring the Stand of the Water Protectors as a moment in a much longer continuous history of resistance to settler colonialism.

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[1] Nick Estes and Jaskiran Dhillion, 2019. *Standing With Standing Rock: Voices From the #noDAPL Movement* (Minneapolis: University of Minnesota Press), p. 1.

[2] This is the main year of the protest, but the struggle is ongoing.

[3] Julie Sze, 2020. *Environmental Justice in a Moment of Danger* (Oakland: University of California Press), pp. 25-6.

Settler colonialism is a violence that disrupts human relations with the environment, produces environmental injustice against Indigenous peoples, and furthers the ecological devastation of the earth.[4] In particular, settler colonialism attempts to facilitate the erasure of Indigenous populations by colonial ones, in order to gain access to territory—to land. In settler colonial societies, land is of supreme importance. This is because settlers need to make Indigenous lands their new home which requires the disruption of Indigenous relationships to the land; "a profound epistemic, ontological, and cosmological violence."[5] In other words, there is no geographic separation between the metropole and the colony. Erasure has both physical and cultural dimensions, through genocide and dispossession but also other biopolitical modes of control and knowledge production and maintenance.

The omission of Indigenous movements for environmental justice like Standing Rock represents the ease with which environmental philosophy can become complicit in the project of settler colonial erasure and replacement through absence. In this way, the silence about Standing Rock re-produces settler colonial violence against Indigenous peoples.

Environmental philosophy I argue, has generally occluded the colonial aspect which produces the environment. Moreover, lack of an awareness of the coloniality of nature represents a potentially fatal flaw for the discipline. Insofar as the goal of environmental philosophy is to conceptualize and enact social and cognitive configurations which mend the rupture between human beings and the environment, the absence of a clear theorization of

[4] Kyle Whyte, 2018. "Settler Colonialism, Ecology, and Environmental Justice" *Environment and Society: Advances in Modern Research* (9): p. 125.

[5] Eve Tuck and Yang, K. Wayne. 2012. "Decolonization is not a metaphor", *Decolonization: Indigeneity, Education & Society* 1(1): p. 5.

how settler colonialism comes to produce that rupture dooms the project from the start.

In this dissertation, I work to break the silence on Standing Rock and allow the Water Protectors example to guide the project toward an environmental philosophy which centers colonialism and Indigenous resurgence as core concerns. In this sense then, my theoretical framework is first informed by their example, and Standing Rock and the Water Protectors weave throughout the entire work. Through analysis of settler colonial theory, decolonial theory, Indigenous studies, environmental justice and the examples and words of the Water Protectors, I explore how settler societies, such as the United States, seek to reconstitute 'the environment' to meet the needs of the settler colonial project, both conceptually and materially.

One of the challenges for anyone writing on indigenous issues in an academic setting is to not perpetuate colonialism. Of crucial importance is an awareness of the ways in which attempts at solidarity themselves may remap racial and colonial logics.[6] By turning my analysis toward academic responses, and that of mainstream environmental philosophy in particular to the #noDAPL movement, I intend to orient my project away from an objectifying study *of* Indigenous peoples; to avoid treating indigenous peoples as objects of abstracting academic inquiry. In this sense, the subject of the dissertation is not the Water Protectors or events surrounding the Dakota Access Pipeline; rather the subject of the dissertation is the danger of erasure within environmental philosophy journals, which is analyzed through the example

[6] See for instance: Rubén A. Gaztambide-Fernandez, 2012. "Decolonization and the pedagogy of solidarity", *Decolonization: Indigeneity, Education & Society* 1(1): pp. 41-67, and Budd L. Hall and Rajesh Tandon, 2017. "Decolonization of knowledge, epistemicide, participatory research and higher education" *Research for All* 1(1): pp. 6-19.

demonstrated by the Water Protectors and their allies.[7]

This alone does not absolve me or the project of problematic contradictions. I am still using the Water Protectors work and words as an example disjointed from the broader project of decolonization or Indigenous continuance. As a dissertation, this project cannot undo the legacy of colonialism deeply embedded in the traditions of academic institutions, nor can it stop the pipeline from continuing to travel hazardous oil through Lakota lands. The question which informs the overall dissertation also informs my attitude about solidarity: What can Standing Rock teach us about environmental justice and environmental philosophy?

In terms of other theoretical approaches, I locate the colonial aspect which produces the environment by drawing on decolonial theorist Walter Mignolo, and Cherokee environmental philosopher Brian Burkhart. Drawing on a brief insight from Mignolo in *The Darker Side of Western Modernity*, I argue for an analysis of the 'coloniality of nature,' adding a fifth domain to his (and Anibal Quijano's) Colonial Matrix of Power ("*Patrón colonial de poder*"). I do this in order to show how 'the environment' emerged through its control, management, and weaponization in the colonial project starting in the 1500s and continues to produce violence which disrupts human and other-than-human relationships.

Burkhart then grounds my discussion, literally, by attending to the way Indigenous environmental philosophies emerge from place-based 'locality,' which disrupts the 'delocalized'

[7] Academic responses, even within just environmental philosophy, to something like Standing Rock constitute a diverse plurality of approaches including lectures, talks, presentations, activism, curriculum and syllabus adjustments, book chapters, television and podcast appearances, and many other expressions. By focusing on the journals, I do not mean to preclude these as areas of academic engagement. However, as I discuss more in chapter 2, journals remain among the most significant intellectual currencies of academic disciplines and the absence of DAPL from these threatens to undermine other engagement efforts.

framework produced by the coloniality of nature. Locality, I argue, is deeply embodied by the strengths and strategies of the Standing Rock Water Protectors who draw on a long history of place-based practices for cultural resurgence and colonial resistance. In this way, by fighting for environmental justice against settler colonialism, the Water Protectors model an environmental ethic which is simultaneously decolonial and which restores human relationships with the environment. In the final portion of the dissertation, I turn towards literature about Indigenous environmental justice to propose a model for engaging with settler colonialism as a core aspect of environmentalism. Equipped with the toolset of Indigenous environmental justice frameworks, environmental philosophers will be able to work in solidarity with the Water Protectors to end the threat of global capitalism and colonialism. I conclude that Indigenous resurgence must be in the interest of *all* environmental philosophers.

Standing Rock points beyond itself in many ways: to a broader call for decolonization, to Indigenous-led movements for environmental justice, to resistance to the logics of capitalism, as a marker in the global struggle against white supremacy, as a uniting frontier for Indigenous activists and non-indigenous environmentalists,[8] and as an example of thinking and doing otherwise.

Chapter Descriptions

Before chapter 1, I have included a brief "Epilogue to Standing Rock," written in a style unlike the rest of the dissertation. Functionally, this epilogue--so called because it was written after the on-the-ground events of Standing Rock--is included to inform or remind the reader of

[8] Acknowledging that this relationship has not always been great.

some of the events that took place during the year in which the Oceti Sakowin Camp stood in defiance of the pipeline. More than that however, the epilogue is written as a narrative with story-telling elements which I hope will capture the spirit of "re-birth" which Faith Spotted Eagle characterized the event as having. Thus, the epilogue also serves as a guide for the composition of the camp and how the camp operated. I have chosen to begin the dissertation with an epilogue, not because Standing Rock's story is over, but because the episode of Standing Rock calls for a break from what came before. Hence, the dissertation overall is titled "Environmental Philosophy after Standing Rock." While I do include details in other parts of the dissertation not described in this epilogue, the epilogue serves as a grounding for the major events that I refer back to in the analysis of the chapters.

It is important to note that I never made it to the camp myself and am telling this story from a position only as someone who followed the events from afar and has researched them thoroughly. I was not sure what I could contribute had I gone, and I did not want to be a burden on the camp which I discuss further in chapter 1. As such, much of the story depends on the work done by Nick Estes in *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance*.

The first chapter, "Academic and Environmental Solidarity" begins to unpack the difficulties of settler colonial erasure starting with the dissertation itself. Taking cues from Rachel Flowers, Faith Spotted Eagle, Kyle Whyte, and others, I discuss the limits of myself and the dissertation as a piece of writing to contribute to the efforts of the Water Protectors. Careful attention to how settler colonialism impacts scholarship about Indigenous people and the environment is crucial. Solidarity, I have learned, requires amplifying Indigenous voices via

scholarship, activism, and other channels, in critique of settler practices both within the academy and without. In this chapter, and the dissertation more broadly, I put this principle into practice by taking cues generously given by Indigenous authors and powerful examples demonstrated by the Water Protectors at Standing Rock.

Being that the dissertation focuses on environmental philosophy in particular, I also contend with issues of solidarity surrounding environmental allegiances. Much of the historical context of Standing Rock, particularly with regards to settler colonialism, was missed by early commentators on the event who focused on the safety of the pipeline or on projected environmentalist aspirations. For Indigenous people, environmental oblivion arrived many centuries ago and scholars who want to align with the goals of Indigenous resistance need to contend with the fact that the current ecological epoch is one fantasized about and ultimately materialized by settler ancestors.

Moreover, Joe Curnow and Anjali Helferty argue that the environmental movement in the United States and Canada has been a predominantly white space, consistent with the settler colonial project and often directly at odds with Indigenous sovereignty and self-determination.[9] The effect, is a focus on 'the environment/Nature' in a way which occludes the manner in which settler colonialism disrupts human relationships to the environment in favor of a Western narrative of progress gone awry.

The second chapter, "Environmental Philosophy after Standing Rock" represents the central focus of the dissertation as a whole. The chapter manifests between two central

[9] Joe Curnow and Anjali Helferty, 2018. "Contradictions of Solidarity: Whiteness, Settler Coloniality, and the Mainstream Environmental Movement" *Environment and Society: Advances in Research 9:* pp. 145-163.

themes. First, that a primary component of settler colonialism is the erasure or disappearance of Indigenous peoples. For a settler society to establish its own socio-ecological structure, it must eradicate and transform antecedent relationships to the land. From this point of analysis, it becomes deeply troubling that Standing Rock, such an important environmental movement, is absent in journals of environmental philosophy. From there, I utilize a concept which comes from the Latin American decolonial philosophy of Walter Mignolo; the 'colonial matrix of power,' to argue that 'the environment' can function as a nexus of colonial domination--both in terms of material analysis and as a cognitive or conceptual institution of Modernity.[10]

The second central theme comes from Brian Burkhart's book *Indigenizing philosophy through the Land: A Trickster Methodology for Decolonizing Environmental Ethics and Indigenous Futures*. In the book, Burkhart argues that environmental philosophy has a tendency for abstraction, that it 'floats free from the land,' whereas an Indigenized environmental ethics would be one which is responsive to land-based reciprocal relationships; that it is grounded in place. I argue that this 'floating free from the land' represents, broadly speaking, a point of departure for environmental philosophy away from a position where it could grapple with environmental degradation as an institution of colonial power. Thus, in concert with the other chapters, I contend that the path forward involves centering and taking seriously Indigenous self-determination as a key component for engaging with philosophical questions regarding the environment.

The third chapter, "Indigenous Environmental Justice" begins to unpack what an

[10] Modernity/Coloniality/Decoloniality, simplified here for clarity.

environmental philosophy responsive to locality looks like. I draw on the tradition of environmental justice to build a framework for analyzing two case of human and other-than-human relations: the buffalo and Standing Rock and salmon and Pacific Northwestern fishing tribes. These two examples foreground both how settler colonialism works to disrupt human relationships with the land and how Indigenous resistance and resurgence works to maintain or restore relations with the environment. I argue then that violence against Indigenous peoples and environmental degradation emerge from the same source; the colonial project.

Then I move to echo recent work, such as that by Julie Sze, Jaskiran Dhillon, Julian Brave NoiseCat, and Anne Spice that argue Indigenous communities are central protagonists in the fight against capitalism, ecological devastation, resource extraction, and other mechanisms of oppression of the human and other-than-human world. I locate Indigenous self-determination as a bedrock for broader social justice mobilizing. Water and Land protectors everywhere show how resistance through and with land-based practices materializes powerful repudiations of violence and offers alternative frameworks for building more just relations.

Terminology: The Righting/Writing of Names

In settler colonialism, language and naming are among the first frontiers of violence. Consistently re-recognizing settler colonialism in a written space necessitates terminology which constantly reveals the troubled nature of a work written in English on stolen lands. As Rebekah Sinclair argues, "[a] name is a site of power."[11] In a settler colonial context, re-naming constitutes not only an exercise in political, hierarchical, and state power, but also abeds the

[11] Rebekah Sinclair, 2018. "Righting Names: The Importance of Native American Philosophies of Naming for Environmental Justice," *Environment and Society: Advances in Research* 9: p. 91.

imposition of Western 'processes of ordering' that remove or erase indigenous knowledges and dispossess Indigenous people of authority and access to traditional lands.[12] Indigenous names, Sinclair explains, tend to recall and secure knowledge of particular associates and relations.[13] For example, the chant "Mni Wiconi!" (Water is Life!) which became the championing phrase of the Water Protectors at Standing Rock, confers much more meaning than is easily rendered by direct translation. Nick Estes explains how Mni Wiconi asserts not only that water is life, but that water is alive.[14] "Mni Sose [the Missouri River]," he explains, "is a relative: The Mni Oyate, the water nation."[15] One would not measure, quantify, evaluate, or sell one's relative. Estes argues that the place-based, decolonial aspect of Wotakuye (kinship) is a vital decolonial practice of being in relation to land and water.[16] Estes explains how Lakotayapi nouns recall the cosmological history of his people, and confirm agency of the landscape and water:

> This region--our homeland--is also part of He Sapa, the Black Hills, or the heart of everything that is. He Sapa is the beating heart of the Lakota cosmos, and we emerged from red earth, took our first breath, and gained our humanity as Oyate Luta: the "Red People," or the "Red Nation." During the last ice age, massive glaciers carved up the land. After the ice retreated, it left rolling hills and tunneling valleys that became buffalo roads, where herds that once blackened the plains traveled during seasonal migrations to and from water. The buffalo followed the stars, and the people followed the buffalo. To honor our relations, we called ourselves "Pte Oyate" (the Buffalo Nation), and "Wicahpi Oyate" (the Star Nation). In these ebbs and flows of migration, all roads lead to Mni Sose [the Missouri River], which translates to "roiling water," for the once-astir

[12] At the time of writing this I was in Philadelphia for the Eastern APA. When descending in my plane, I couldn't help but notice the very jagged "rivers" which had been literally cut through the landscape to allow for easy boat travel inland. To call a place something like New England (or New York or New Hampshire, etc) is itself the first step in imaging and transforming a place into a space suitable for the continuation of European commercial culture.

[13] Sinclair, "Righting Names," p. 93.

[14] Estes and Dhillion, *Standing with Standing Rock,* p. 2.

[15] Ibid., pp. 2-3.

[16] Ibid., p. 3.

> and often-muddy river… If He Sapa is the heart of the world, then Mni Sose is its aorta...[17]

Sinclair goes on to explore how settler renaming and misnaming breaks these relations, networks, and relational ontologies designated by Indigenous names.[18] Peter Kulchyski, even argues that the primary function of Native studies is in many respects a re-righting/writing of Indigenous names. He writes: "Native Studies plays a role in, and may be nothing more than, the careful calculation, the deliberate, cautious, but necessary practice of righting names."[19]

Bearing all this in mind with regards to places, events, and people related to the story of Standing Rock, I prefer to use the Lakotayapi nouns.[20] When I have done so, I use the Lakota name followed by the settler name in parenthesis once and then use the Indigenous name throughout the rest of the text. At the end of this section, I have provided a glossary of terms for reference.

In terms of other types of terminology, a dissertation is a difficult space for respecting linguistic justice because precision, at least in this instance, often clouds rather than clarifies complexity. There are many names and terms which refer to Indigenous people both collectively and as individual Nations, Tribes, and peoples. Take for instance one of the most important words for the project: *Indigenous*.

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[17] Nick Estes, 2019. *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance* (New York: Verso), pp. 8-9.

[18] Sinclair, "Righting Names," p. 93.

[19] Peter Kulchyski, 2000. "What is Native Studies," in *Expressions in Canadian Native Studies* (Saskatoon University Extension Press), p. 13.

[20] Being not a native speaker of Lakota language, I take my cues from Lakota authors who have written about the events at Standing Rock. I also have consulted the *New Lakota Dictionary*, put together by the Lakota Language Consortium. Lakota-English dictionaries have a troubled history, with European anthropologists often combining or misrepresenting differences between Lakota, Nakota, and Dakota language. The *New Lakota Dictionary* has seen those early attempts revisited by native speakers.

In general, the term 'Indigenous peoples' refers to the communities, clans, nations, tribes, and groups who are Indigenous to the lands they inhabit. However, the term Indigenous also points toward the larger context of colonial struggles across the globe against environmental injustice and colonialism. I have elected to capitalize Indigenous throughout the dissertation to highlight this shared historical context. Taiaiake Alfred and Jeff Corntassel explain that 'Indigenous people' is "in contrast to and contention with the colonial societies and states that have spread out from Europe and other centres of empire."[21] Indigenousness, in this sense also refers to the politicized context of contemporary colonialism; an oppositional, place-based existence, coupled with the political struggle against the dispossession and genocide of colonialism that distinguishes Indigenous peoples from other peoples in the world.[22]

I would also highlight the use of the word 'Indigenous' in light of the work of Kim TallBear who explores indigeneity as a response to the complex set of situations faced by particular groups toward self-governance and continuance in setter landscapes. From her:

> Indigenous peoples themselves also privilege biological connection to ancestors (alongside connection to land), but they have evolved a more multifaceted definition of 'indigenous' that entangles political self-determination and mutual networking for survival in a global world.[23]

Kyle Whyte echos Kim TallBear, writing: "Indigenous peoples seek to define indigeneity through collective actions that promote self-governance and land-based practices that aim at restoring

[21] Taiaiake Alfred and Jeff Corntassel, 2014. "Being Indigenous: Resurgences against contemporary Colonialism," *Government & Opposition: An International Journal of Comparative Politics* 40(4): pp. 597-614.

[22] Taiaiake Alfred, 2009. *Wasase: Indigenous Pathways of Action and Freedom* (Toronto: University of Toronto Press).

[23] Kim TallBear, 2013. "Genomic articulations of indigeneity" *Social Studies of Science* 43(4): p. 510.

genealogical moral connections among people, non-humans, and places."[24] Taking all of this in mind, we find that utilization of terms like 'Indigenous' in a way which challenges or reveals oppressive functions of settler colonial spaces simultaneously confuses the dichotomistic specificity of 'indigenous'/'non-indigenous' binaries.

Across the globe, there are a great deal of groups who qualify as 'Indigenous' in the above sense, whose cultures, political/economic situations, and relationship with colonizers starkly differ. However, the term serves as a signifier of unity for people who share a struggle to survive as distinct, differing peoples with unique attachments to homelands in the face of colonial erasure, genocide, and environmental devastation. Alfred and Corntassel argue that in settler societies, settlers proceed with the project of their imperial forefathers colonial legacy by both eradicating the physical existence of Indigenous groups (such as poisoning groundwater with pipelines) and by trying to eradicate their existence *as peoples* vis. the erasure of autonomous cultural identities and senses of self.[25] In terms of the Dakota Access Pipeline, both the physical threat and the cultural threat are important aspects of environmental injustice. Locating the #noDAPL movement as a movement within the broader, global tradition of Indigenous resistance alongside other movements like Rhodes Must Fall and #IdleNoMore is important for understanding the solidarity statements and support provided by other Indigenous groups, not only in North America but the world over.

I use the word 'Indigenous' in most contexts to signal the broader connections between

[24] Kyle Whyte, 2017. "Indigeneity and US Settler Colonialism," in *The Oxford Handbook of Philosophy and Race*, ed. Naomi Zack (North York: Oxford University Press), p. 99.

[25] Alfred and Corntassel, "Being Indigenous: Resurgences against contemporary colonialism," p. 598.

#noDAPL and other Indigenous communities and draws attention to settler colonialism.

For my use, 'settlers' are people who have privileges that arise from the historic and ongoing dispossession of Indigenous lands. As Kyle Whyte writes:

> Having settler privilege means that some combination of one's economic security, U.S. citizenship, sense of relationship to the land, mental and physical health, cultural integrity, family values, career aspirations, and spiritual lives are not possible without the territorial dispossession of Indigenous peoples.[26]

Importantly, Rachel Flowers reminds us that 'settler' is not synonymous with non-indigenous, and that the term should evoke a set of responsibilities and action.[27] That is, the term should highlight a set of privileges. In Flowers words, "The category of settler is both a structural location and a product of social relations that produce privilege."[28] While I understand 'settler' to be a term of relationship to the territory, rather than a racial category,[29] at the same time it is important to acknowledge the European-descended sociopolitical majority of North America,[30] and the role of white supremacy in the formation of the United States specifically.

There are numerous terms used to describe the original people on Turtle Island (North America): Native American, American Indian, Indian, Indigenous American, First Nations (in Canada), Metis, Innuit, and others. There was, originally, no single name for all the Indigenous

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[26] Kyle Whyte, 2018. "White Allies, Let's Be Honest About Decolonization" *YES! Magazine, the decolonize special issue*. Accessed March 17, 2019. <https://www.yesmagazine.org/issues/decolonize/white-allies-lets-be-honest-about-decolonization-20180403>

[27] Rachel Flowers, 2015. "Refusal to forgive: Indigenous women's love and rage," *Decolonization: Indigeneity, Education & Society* 4(2): p. 33.

[28] Ibid., p. 34.

[29] Chelsea Vowel, 2016. *Indigenous Writes: A Guide to First Nations, Métis, and Inuit issues in* Canada (Winnipeg: Highwater Press), p. 16.

[30] Sherene Razack, 2002. *Race, Space, and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines).

people of the place now called the United States. Any unifying term now will be necessarily one borne out of colonialism, used to differentiate Indigenous people from mostly European-descendent colonizers and settlers. I use the terms 'American Indian' or 'Indian' to refer collectively to Indigenous peoples living in the United States, when appropriate, as a legal term.[31] Most Indigenous peoples living on reservations in the United States call themselves 'Indians.'[32] As an additional perk, the term 'Indian' is unsettling, because it evokes the, albeit limited, concept of European settlement and naming violence taught in American schools in a way that is hard to cognitively avoid through the reminder of the "erroneous geography" of Christopher Columbus.[33] I use the term 'Indian Country,' a recognized legal term, to refer to the collected, self-governing Indigenous communities throughout the United States who live on reservation lands.

Most American Indians (though not all) do not like the term Native American, since they have never consented to be American and one cannot be a native of an illegitimate place.[34] With this in mind, I use the term 'Native American' to refer collectively to peoples Indigenous to North and South America (the continents, not as countries), and First Nations or First People if I

[31] 'American Indian' extends beyond just legal use. For instance, the longest running academic journal about Indigenous people in the United States is the *American Indian Quarterly*.

[32] Michael Yellow Bird, 1999. "What We Want to Be Called: Indigenous Peoples' Perspectives on Racial and Ethnic Identity Labels." *American Indian Quarterly* 23(2), pp. 1-21.

[33] Robert F Berkhofer Jr., 1968. *The White Man's Indian: Images of American Indians from Columbus to the Present* (New York: Vintage), p. 4.

[34] Bird, "What We Want to Be Called."

am talking specifically about the place called Canada. Otherwise, the terms may be used as modifiers.[35]

Many Lakota people refer to themselves, and sometimes their way of being or thinking, as 'native.' As I grew up, our family friend who is a Lakota woman preferred this term and it is the term most familiar to me as a result. However, while it does signify a place-based connection to the land, it can also conjure up colonial logics of primitivism and is generally disliked among Indigenous peoples globally. As such, I use this word only when directly quoting or paraphrasing someone who identifies as Indigenous as they use the term in reference to themselves.

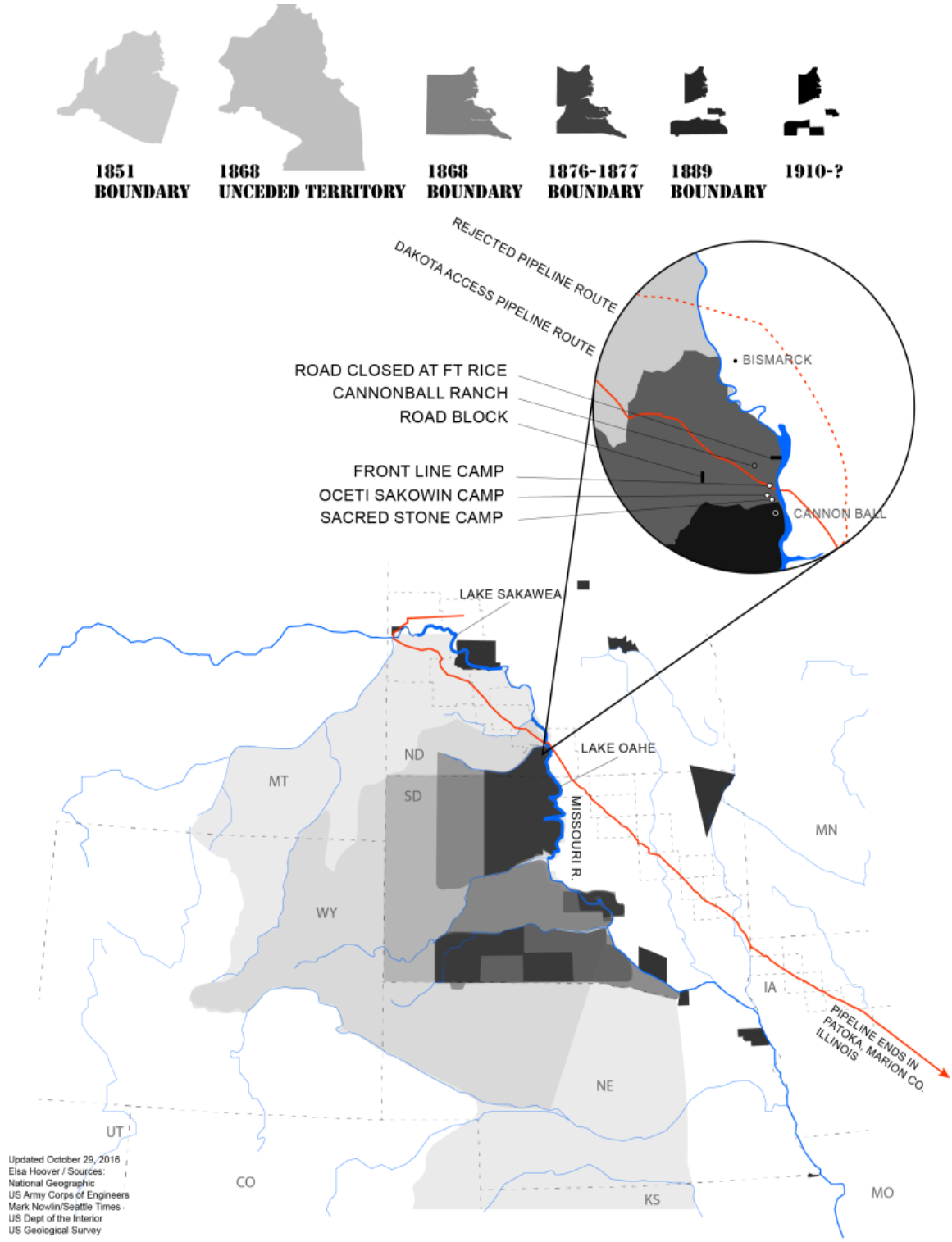
Table 1: Lakota Language Glossary

Channunpa	Ceremonial Pipe
He Sapa (Ȟe Sápa)	Heart of the World, the Black Hills
Hukpapa	Horn of the Buffalo
Iktomi (Iktómi)	Trickster Spider
Lakotayapi	Lakota Language and Customs
Mitakuye Oyasin (Mitákuye Oyás'iŋ)	All My Relations
Mni	Water
Mni Oyate	Water nation
Mni Sose	Missouri River or Rolling Water
Mni Wiconi (Mní Wičóni)	Water is life
Oceti Sakowin (camp)	The name of the main camp at Standing Rock
Oceti Sakowin Oyate (Očhéthi Šakówiŋ)	Seven Council Fires and Great Sioux Nation
Ospaye	Circle of Circles
Oyate Luta	Red People or Red Nation
Pte Oyate	Buffalo Nation

[35] I use 'non-Indigenous' to name persons or communities who are not Indigenous to places called the United States or Canada, when not referring to settlers.

Pte Oyate	Buffalo Nation
Pte Ska Win	White Buffalo Calf Woman
Takanka	Buffalo
Taku Wakan	Something Holy or Sacred
Ti	Tipi
Tiyospaye	Fundamental Lakota relations, Tipi Family Circle
Wasicu	Colonizer/white man or Fat-taker
Wicahpi Oyate	Star Nation
Wiyohipapata	Where the Sun Rises
Wotakuye	Kinship
Wotakuye	Being a Good Relative
Zuzeca Sapa	Black Snake, in the sense of the prophecy

Figure 1: Oceti Sakowin Oyate Territory and Treaty Boundaries 1851-present[36]



[36] NYC Stands with Standing Rock Collective, Oceti Sakowin Oyate Territory and Treaty Boundaries 1851-present, Oct 29 2016, "#StandingRockSyllabus" <https://nycstandswithstandingrock.wordpress.com/standingrocksyllabus/>

EPILOGUE TO STANDING ROCK

On September 30th, 2014, representatives of the Dakota Access Pipeline (DAPL) and its Texas-based financing firm Energy Transfer Partners (ETP) were late.[37] A meeting had been scheduled with the Standing Rock Sioux Tribal Council to announce the proposed path of a new pipeline which would transport oil from the Bakken oil fields in northwestern North Dakota, through the Fort Laramine Treaties 1851 and 1868 land near the Standing Rock Reservation on its way south across four states, stretching nearly 1,200 miles. Having freshly supported the Rosebud Reservation in their fight against the Keystone XL pipeline (KXL) a couple years prior, the Council knew that this second pipeline, which attempted to fly under the radar, was dangerous. Tribal Chairman David Archambault II can be heard on an audio recording of the meeting asking, "What is the name of the company again?" And then, "Dakota Access Pipeline… are they here?"[38] After the representatives of DAPL finally arrived, Archambault thanked them for being there. Many times in the past, such projects have involved no communications with the Tribe. After a round of introductions, the representatives from DAPL said that they are there to "detail the project and answer questions." At this point, Dave Archambault II interjects:

> Before you get started on this project, I want you to know and understand that we recognize our treaty boundaries. For Laramine Treaty of 1851 and 1868, which encompasses North Dakota, Montana, Wyoming, South Dakota. Because of that, we oppose of a pipeline. We have a standing resolution that was passed in 2012 that opposes any pipeline within that treaty boundary. So just so you know, coming in, this is something that the Tribe is not supporting. This is something that the Tribe does not wish.[39]

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[37] Nick Estes, 2019. *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance* (New York: Verso), pp. 41-2.

[38] Standing Rock Sioux Tribe, 2016. "Sept 30th DAPL Meeting with SRST" <https://www.youtube.com/watch?v=ZlwdtnZXmtY>

[39] Ibid.

But ETP representatives were not there for consent. DAPL representatives used the word "consultation," but the plan for the pipeline was already complete. This meeting took place before any permits were issued and before the Draft Environmental Assessment had been completed. Despite the lack of Tribal consent and permits, the DAPL representatives were confident in a speedy start to construction. Two years later, in November of 2016, Kelcey Warren, the CEO of ETP, would pretend the 2014 meeting never happened and say, in an interview with the Wall Street Journal, that had the Standing Rock Sioux Tribe engaged in discussions before the historic stand of the Standing Rock Water Protectors and allies from across the globe, things would have been different. "We could have changed the route." She said, "It could have been done, but it's too late."[40] As the violence against Water Protectors would draw international attention, subsequent documents prepared by DAPL and ETP, media coverage, and in court judgements, the false assertion that the tribe had not shown up at early scheduled negotiations, even when invited, would be used as legal justification to proceed with the project.[41] ETP and its media lackies would continue the disinformation narrative that the tribe had not voiced their dissent early enough in the process.

In all, Kelcey Warren's deception was not only demonstrably wrong-- the Standing Rock Sioux Tribe did follow the proper legal channels, early in the process-- it also reveals a double standard being deployed, since ETP, the United States Army Corps of Engineers (USACE), and

[40] Kris Maher, Nov 16, 2016. "Dakota Pipeline's Builder Says Obstacles Will Disappear Under Donald Trump" *The Wall Street Journal.* <https://www.wsj.com/articles/dakota-pipelines-builder-says-obstacles-will-disappear-under-donald-trump-1479327104>

[41] Craig Stevens, 2016. "On the Dakota Access Pipeline, Let's Stick to the Facts."The Hill. Accessed 26 February 2018. <http://thehill.com/blogs/congress-blog/energy-environment/296926-on-the-dakota-access-pipeline-lets-stick-to-the-facts/>

the United States Government was in violation of constitutional law. The land through which the pipeline passes is stolen land. The pipeline itself runs a couple of miles outside of the reservation border, right through the unceded lands the Fort Laramie Treaties established in 1851 and 1868, the ones which Archambault II mentioned. The United States Constitution suggests that treaties are the sovereign law of the land, but the United States has broken both Treaties many times and the pipeline does so again.[42] In a 1908 Supreme Court decision, the Court ruled that tribes maintained access and control of water in both treaty territories, even if the territory had diminished.[43] The latter, 1868 treaty formed the basis of the 1980 Supreme Court case, *United States v. Sioux Nation of Indians*, in which the court ruled that tribal lands covered under the treaty had been taken illegally by the US government when the US Congress forced the Lakota[44] from the Black Hills.[45] After calculating the financial value of the land, the court ruled that with 103 years' worth of interest, the United States had to pay $105 million dollars. The Lakota refused the payment, demanding instead the return of their land. Today, the outstanding figure is estimated to be well over $1.6 billion.[46] A legal path for the pipeline would require alteration around the unceded treaty territory, but the legality of the pipeline would never be challenged in the administration of court cases to come. Instead, Water Protectors blocking construction would be characterized as violent criminals and local police

[42] The history of these Treaties is long and complex, and here I have only discussed a small portion most pertinent to the story. There are many, many violations of these treaties which have been committed. The unifying factor across all violations is the U.S. theft of land.

[43] Nick Estes, 2017. "Fighting for Our Lives: #NoDAPL in Historical Context," *Wicazo Sa Review* 32(2), pp. 115-122.

[44] Called "Sioux" in court documents.

[45] *United States v. Sioux Nation of Indians*, 448 U.S. 371 (1980).

[46] Maria Streshinsky, March 2011. "Saying No to $1 Billion: Why the impoverished Sioux Nation won't take federal money" *The Atlantic*. <https://www.theatlantic.com/magazine/archive/2011/03/saying-no-to-1-billion/308380/>

and paramilitary groups paid for by ETP would deploy counter-terrorism measures and enforce the law only to serve white interests.

Even at this early stage in 2014 when the initial meeting took place, there had been alterations already made to the pipeline plan. Originally, the pipeline would travel further from the Standing Rock Reservation, crossing the Missouri River (Mni Sose) north of the predominantly white town of Bismarck, ND.[47] In the USACE report which evaluated the Bismarck route, it was concluded that the plan was not viable because it passed too close to municipal water supply wells. The river, which flows south toward Bismarck, was too close to residential areas if the pipeline leaked. Thus, the pipeline was rerouted and would cross Mni Sose south of Bismarck, north of Standing Rock, at the confluence of the Cannonball River. The citizens of Bismarck were surprised to learn about this rerouting when Dakota Access, LLC made the documents public in 2016.[48] The U.S. Army Corps of Engineers did not need the input of the citizens of Bismarck to advocate for themselves in order to serve their interests. In contrast, a vicious battle would be fought between the Standing Rock Sioux Tribe and the USACE to recognize the same water concerns for Standing Rock, which was now directly south (downriver) of the proposed route.[49] The U.S. Army Corps of Engineers were not present at the 2014 "consultation."[50]

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[47] Dakota Access, LLC, December 2014. "Dakota Access Pipeline Project: North Dakota Public Service Commission Combined Application for Certificate of Corridor Compatibility and Route Permit" prepared by North Dakota Public Service Commission.

[48] Amy Dalrymple, Aug 18, 2016. "Pipeline route plan first called for crossing north of Bismarck" *The Bismarck Tribune*. <https://bismarcktribune.com/news/state-and-regional/pipeline-route-plan-first-called-for-crossing-north-of-bismarck/article_64d053e4-8a1a-5198-a1dd-498d386c933c.html>

[49] Ibid.

[50] Estes, *Our History is the Future*, p. 42.

Although Chairman Archambault II made it clear from the onset that the Tribe rejected the pipeline, the legal machinations to provide ETP the requisite permits were fast-tracked by the U.S. Army Corps of Engineers.[51] Unlike the Keystone XL pipeline which required international cooperation, DAPL was legally considered a domestic project, ignoring that the treaty lands represent the distinct sovereignty of the Lakota Sioux Indian Nation.[52] This meant that the USACE did not have to undergo environmental reviews under the Clean Water Act and the National Environmental Policy Act, and could instead deploy the much faster and weaker Nationwide Permit 12.[53] This was brought up as a concern in the 2014 meeting with representatives of DAPL by Waste Win Young, the Standing Rock Tribal Historic Preservation Officer. She worried that Tribal historians had not been consulted, and that many significant cultural, archeological, and burial sites were jeopardized by the proposed path of the pipeline. Environmental and archeological assessments of the territory, performed often by groups hired by Dakota Access Pipeline, would not accurately represent the historical and cultural significance of the territory though which the digging would commence.[54] When it was all over, the DAPL pipeline had cut through 380 archeological sites, including burial sites.[55]

Archambault II ends the meeting by saying "We know we can live without oil, we can live without money, but we cannot live without water. We're always doing what we can to

[51] Estes, *Our History is the Future*, pp. 42-3.

[52] Oceti Sakowin

[53] Estes, *Our History is the Future,* p. 42.

[54] KOLC-TV. 2016. "Tim Mentz: Updated." YouTube (9:26 mins). Filmed 09/03/2016. Posted 09/17/2016. Accessed 26 February 2018. https://www.youtube.com/watch?v=w6NapCXUjU0

[55] Estes, *Our History is the Future*, p. 43.

protect that."[56] Indeed, it was at this meeting that the primary message of resistance, Mni Wiconi, "Water is Life" was already articulated by Phyllis Young who told DAPL representatives that the young people had "mastered the tricks of the wasicu (colonizer/white man, literally "fat-taker") world."[57] Prophetically, she warns the representatives:

> We will put our best warriors in the front. We are the vanguard. We are Hunkpapa Lakota. That means the 'horn of the buffalo.' That's who we are. We are the protectors of our nation, of Oceti Sakowin, the Seven Council Fires. We know who we are.[58]

Oblivious to the significance and power of Young's words, representatives of DAPL thanked the council for hosting them, and suggested that anyone who has questions can review the monitoring safety programs that ensured the pipeline would be safe, a pathetic gesture. Within the first 6 months of operation, DAPL would leak 5 times.[59]

Prior to the beginning of construction, in April of 2016, a coalition of support groups filed suit against the USACE's failure to provide a proper Environmental Impact Statement.[60] Despite the opposition of the Tribe, in July of 2016 the USACE approved the pipeline.[61] Construction began that June. In the following months, while the courts used various legal tactics to stall delivering a verdict on the suit, the bulldozers kept moving.[62] After the court

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[56] Standing Rock Sioux Tribe, "Sept 30th DAPL Meeting with SRST"

[57] Ibid., ~1 hour and 5 minutes into the audio

[58] Ibid.

[59] Estes, *Our History is the Future,* p. 44.

[60] Earth Justice provides up to date news on the Tribe's litigation here: https://earthjustice.org/features/faq-standing-rock-litigation

[61]Dallas Goldtooth, Aug 3, 2016. "Coalition Support of Tribal Lawsuits Against US Army Corps Permits for the Dakota Access Pipeline" *Indigenous Rising: An Indigenous Environmental Network Project* <http://indigenousrising.org/coalition-support-of-tribal-lawsuits-against-us-army-corps-permits-for-the-dakota-access-pipeline/>

[62] See the "Timeline of Events" at https://earthjustice.org/features/faq-standing-rock-litigation

denied the Tribe's motion for a preliminary injunction, it was three federal agencies (Department of Justice, Department of the Army, and Department of the Interior) which halted additional permitting and suggested that they might reconsider the past permits.[63] Over the entire Standing Rock odyssey, the courts were unwilling and unable to protect Standing Rock's water, and so a greater demonstration of Indigenous strength would coalesce to block the pipeline with peaceful, prayerful protest.

The first Water Protectors were women and the youth. Beginning in July 2016, thirty-eight Indigenous youth, representing the youth group Rezpect our Water, ran a 2,000 mile relay to the White House to deliver a petition with 160,000 signatures to President Obama, opposing DAPL's construction.[64] There was no response from the Obama administration.[65] The first camp, founded in 2016, which would block the pipeline called the Sacred Stone Camp, named for the stones around which the Cannonball River confluence ran, was erected on the land of Ladonna Brave Bull Allard.[66] The pipeline would pass very near to her son's grave, so she posted a video on Facebook saying she would stand in front of the pipeline and called for people to

[63] Department of Justice, Office of Public Affairs, Sep 9, 2016. "Joint Statement from the Department of Justice, the Department of the Army and the Department of the Interior Regarding Standing Rock Sioux Tribe v. U.S. Army Corps of Engineers" *The United States Department of Justice*. <https://www.justice.gov/opa/pr/joint-statement-department-justice-department-army-and-department-interior-regarding-standing>

[64] Estes, *Our History is the Future, pp.* 52-3, and Jaskiran Dhillion, 2016. "Indigenous youth Are Building a Climate Justice Movement by Targeting Colonialism" *truthout*, <https://truthout.org/articles/indigenous-youth-are-building-a-climate-justice-movement-by-targeting-colonialism/> The letters themselves can be read at: https://www.tesol.org/docs/default-source/books/ER_Middle/youth-activist-letters.pdf?sfvrsn=0

[65] Only in November would Obama finally speak out, suggesting that the U.S. Army Corps of Engineers were considering a re-route, but that he wanted to "let it play out for several more weeks and determine whether or not [it] can be resolved." DemocracyNow!, Nov 3, 2016. "Standing Rock Chair: Obama Could Stop the Dakota Pipeline Today & Preserve Indigenous Sacred Sites. <https://www.democracynow.org/2016/11/3/standing_rock_chair_obama_could_stop>

[66] Nicky Woolf, Aug 29, 2016. "North Dakota oil pipeline protestors stand their ground: 'this is sacred land'," *the Guardian*. <https://www.theguardian.com/us-news/2016/aug/29/north-dakota-oil-pipeline-protest-standing-rock-sioux>

come.[67] Following the youth run and Allard's video, the ranks of the Sacred Stone Camp swelled. By late August, only 2 months later, the Sacred Stone Camp represented more than 90 Indigenous nations as well as allies from across the world.[68] By November, that number had grown to 400.[69]

The Oceti Sakowin Camp was created in part to capture the surging movement stemming from all corners of the globe. In an interview with CNN at the Oceti Sakowin Camp, Faith Spotted Eagle called it the "rebirth of a Nation."[70] She explains that the area the camp sits on is what in archeology is called a 'multi-component site', meaning that the site represents layers of distinct events built onto one another. She says: "If you're real quiet at night, 3 or 4 o'clock in the morning, you can sometimes hear eagle whistles. You can hear people kind of mumbling and talking and praying. And those are the echoes of the land. And so, the memories are still here."[71]

The name "Oceti Sakowin," dubbed "The Great Sioux Nation" by settlers, refers to the Oceti Sakowin Oyate, or the Nation of the Seven Council Fires, a political confederacy made up of individual bands, based on kinship, dialect, and geographic relations between Lakota-, Nakota-, and Dakota-speaking peoples. Naming the primary camp Oceti Sakowin emphasized the long-awaited reunification of the seven nations which, by 2016, had not happened in more

[67] Divided Films, Nov 14, 2016. "Mni Wiconi: The Stand at Standing Rock" YouTube (8:26 minutes) https://www.youtube.com/watch?v=4FDuqYld8C8

[68] Estes, *Our History is the Future*, p. 57.

[69] Ibid.

[70] CNN, Nov 1, 2016. Interview with Faith Spotted Eagle "Protestor: it will be a battle'," *CNN Videos* <https://www.cnn.com/videos/us/2016/11/01/faith-spotted-eagle-dakota-access-pipeline-mg-nccorig.cnn>

[71] Ibid.

than a hundred years.[72] The seven bands joined together and elders lit the peta waken (sacred fire) for the first time since Lincoln was President.[73] In history, Oceti Sakowin would gather and light a fire between seven tipis, representing the seven nations, arranged in the shape of a buffalo horn,[74] to hold meetings between extended Tribal families, large multi-tribal trading meetings, buffalo hunts, and for the Sundance ceremony.[75] As Phyllis Young had said in the 2014 meeting with DAPL representatives, the horn once again was formed, but this time to prepare for invasion. As word spread, the camp would house many people from all over the globe, bringing in Indigenous and non-indigenous allies in solidarity. At its peak, the Oceti Sakowin Camp was functionally the tenth-largest city in North Dakota, the temporary home of between 10,000 and 15,000 people gathered around one central flame.[76]

For Oceti Sakowin, fire is a gateway to the past.[77] It is around fire that ceremony is held, stories told, and political decisions made.[78] The Oceti Sakowin fires also represent a deep connection to place and relations. The fires burning on this land represented not only the connection to Oceti Sakowin ancestors, but to the land itself; to Pte Oyate, the buffalo nation; to Mni Sose, the Missouri River, a relative of the water nation, Mni Oyate. Connection to place and history is an important part of anti-colonial resistance. The fire at the center of the Oceti

[72] Estes, *Our History is the Future,* p. 2.

[73] Stephanie Keith, Nov 11, 2016. "Trump's victory could be a big win for the Dakota Access Pipeline, but opponents stand strong", *Grist*. <https://grist.org/justice/trumps-victory-could-be-a-big-win-for-the-dakota-access-pipeline-but-opponents-stand-strong/>

[74] Estes, *Our History is the Future,* p. 3.

[75] Ibid.

[76] Ibid.

[77] Ibid., p. 65.

[78] Ibid.

Sakowin Camp was not only the site around which the day-to-day actions of the camp flowed, but also connected the anti-colonial resistance of the camp to the broader history of anti-colonial ceremony and continued existence of Lakota peoples. While in many ways exceptional, the courageous stand of Water Protectors at Standing Rock adds to a long history of anti-colonial resistance of Oceti Sakowin, grounded in ceremony, prayer, and solidarity going back centuries. Understanding the system of place-based relations as fundamental to anti-colonial resistance, the U.S. military systematically slaughtered the remaining 10 to 15 million buffalo over two decades in the 1860s and 1870s.[79] In the late 1880s, after the 1868 treaty had been broken, the people of Oceti Sakowin were forced into disjointed reservations.[80] Starving in these concentration camps, with the buffalo nearly extinct,[81] the land broken and stolen, and children kidnapped for Christian boarding schools, sparked the conditions for an antecedent event to Standing Rock. A Paiute leader, Wovoka,[82] had a vision of Indigenous people and the buffalo nation once again walking on the red earth. The prophecy he saw foretold the removal of white settlers and a return of the human and other-than-human relationships that had been severed by colonial violence.[83] In 1883, the Department of the Interior had banned all "heathenish" Indian dances in an effort to force Christian religious practices on the reservations.[84] However, the joyous news that the dead were to return spread like wildfire

[79] Estes, *Our History is the Future,* p. 9.

[80] Ibid., p. 122.

[81] Pte Oyate, the buffalo nation

[82] "Wood cutter" in Northern Paiute language

[83] Estes, *Our History is the Future*, p. 122.

[84] Louis S. Warren, July 6, 2017. "Was Wounded Knee a battle for Religious Freedom?" *What it Means to be American*, hosted by the Smithsonian and Arizona State University. <https://www.whatitmeanstobeamerican.org/encounters/was-wounded-knee-a-battle-for-religious-freedom/>

across Indian Country and people began to dance. This prophecy became known as the Ghost Dance. While the Ghost Dance did not have its origin from Oceti Sakowin culture, nearly a third of all Lakotas and many Dakotas participated in the Ghost Dance.[85] Armchair ethnographers deployed at the time, such as James Mooney, would distort the Ghost Dance into something like a culturally relativist Judeo-Christian variant on a messiah figure--Wovoka.[86] However, the empowering political message which challenged the legitimacy of ongoing settler colonialism was the prominent feature in this cultural rebirth. Ghost Dancers rejected settler colonialism in a way that should not be underestimated. As Nick Estes asks, if the Ghost Dancers were so innocuous, why were 300 Lakota Ghost Dancers massacred in 1890 at Wounded Knee? He writes:

> If history books do not altogether deny the Wounded Knee Massacre, sympathetic treatments tend to label the Ghost Dance as a 'harmless' trend that would have faded into the past, like the Indians practicing it. But if it were just dancing that was the threat, then why did the United States deploy nearly half its army against starving, horseless, and unarmed people in order to crush it?[87]

The Ghost Dancers, like the Water Protectors, share in a multi-century long imagining and enacting of an anti-colonial Indigenous future, apart from the apocalyptic world brought on by settler invasion. The Ghost Dancers anti-colonial ceremony, missed by Moody but not by the settler state, was echoed in the prayerful, ceremonial strategies of Water Protectors. Like with the Ghost Dance, the United States military would mobilize against Standing Rock to crush the perceived insurgency, this time through a militarized police force. North Dakota Governor Jack

[85] Estes, *Our History is the Future*, p. 126.

[86] Ibid.

[87] Ibid., p. 17.

Dalrymple declared a state of emergency in August 2016, evoking the National Guard under the Emergency Management Assistance Compact (EMAC), normally reserved for natural disasters.[88] Together with ETP, a 'posse' of military, para-military, militarized police, and private security was formed, who would, over the lifetime of the camp, deploy violence in service of capital, white supremacy, and the settler state.

The most prominent paramilitary group was called TigerSwan, hired by Dakota Access, LLC.[89] A shadowy international mercenary company, TigerSwan got its start offering anti-insurgency consultation to the U.S. Military during the Iraq and Afghanistan wars. Former North Carolina retired Army Col. James Reese hoped his private security company would ultimately "compete with Blackwater."[90] TigerSwan operatives met with the local sheriff's office[91] and agreed to a 'sharing of information'. Leaked internal documents show that it was not long before TigerSwan described the Water Protectors as "an ideological driven insurgency with a strong religious component," comparing them to jihadist fighters.[92] "Counter Terrorism" tactics, such as 24-7 drone surveillance, were deployed. Along with the unrelenting drone fly-bys, security personnel in black unmarked shirts, along with the Morton County Sheriff's

[88] Caroline Grueskin, Aug 19, 2016. "Governor issues emergency declaration in response to pipeline protests" *The Bismarck Tribune*. <https://bismarcktribune.com/news/state-and-regional/governor-issues-emergency-declaration-in-response-to-pipeline-protests/article_6b189499-0d39-5223-93a4-5f10e53e735c.html>

[89] Tigerswan was far from the only private security hired. Others included Silverton, Russell Group of Texas, 10 Code LLC, Per Mar, SRC, OnPoint, and Leighton. Some of them, like ETP, have since changed their names.

[90] Alleen Brown, Will Parrish, and Alice Speri, May 27, 2017. "Leaked Documents Reveal Counterterrorism Tactics Used at Standing Rock to 'Defeat Pipeline Insurgencies'," *The Intercept*. <https://theintercept.com/2017/05/27/leaked-documents-reveal-security-firms-counterterrorism-tactics-at-standing-rock-to-defeat-pipeline-insurgencies/>

[91] That of Sheriff Dean Danzeisen of Mercer County

[92] Alleen et al., "Leaked Documents Reveal Counterterrorism Tactics Used at Standing Rock to 'Defeat Pipeline Insurgencies'

department would set up just outside the camp, sic attack dogs on protestors, deploy pepper spray, and blast packs of protestors with water hoses (often mixed with mace) in sub-freezing temperatures.[93] A member of the Standing Rock Medical and Healer Council reported that she could hear the sound of peoples clothes "crunching" after having been sprayed-- hypothermia was a constant risk in the cold conditions.[94] People exposed to the hoses would return to the central fire for spiritual and physical recovery. The on-site medical station was subjected to a sound-cannon.[95] Rubber bullets were fired at people's heads[96] and on one particularly violent night, more than 200 people were seriously injured with one Navajo woman losing an eye.[97]

The Oceti Sakowin Camp would engage in non-violent civil disobedience tactics, holding training seminars ranging from legal briefings to how to shield yourself from pepper-spray and attack dogs.[98] However, the main camp was not the only site of warfare. Nick Estes recalls the 28th of October 2016 when militarized police, acting on direct orders from the State of North Dakota, raided the short-lived 1851 Treaty Camp that blocked construction on Highway 1806:

> Cops in riot gear conducted tipi-by-tipi raids, slashing tents and tipi canvases. They dragged half-naked elders from ceremonial sweat lodges, tasered a man in the face, doused people with CS gas and tear gas, and blasted adults and youth with deafening

[93] Medic Healer Council, Nov 20, 2016. "For Immediate Release: Hypothermia Warning" <https://www.facebook.com/MedicHealerCouncil/posts/1034804569978699>

[94] Jamil Dakwar, Nov 22, 2016. "Police at Standing Rock Are Using Life-Threatening Crowd-Control Weapons to Crack Down on Water Protectors" *ACLU* (Blog). <https://www.aclu.org/blog/racial-justice/american-indian-rights/police-standing-rock-are-using-life-threatening-crowd>

[95] Dallas Goldtooth, Nov 20, 2016. "Water Cannon used on #NoDAPL Protectors – Phone Interview with Angela Bibens" Soundcloud (3:47 minutes). <https://soundcloud.com/dallas-goldtooth/1120-water-cannon-used-on-nodapl-protectors-phone-interview-with-angela-bibens>

[96] Maggie Koerth, Dec 2, 2016. "Police Violence Against Native Americans Goes Far Beyond Standing Rock" *FiveThirtyEight*. <https://fivethirtyeight.com/features/police-violence-against-native-americans-goes-far-beyond-standing-rock/>

[97] Estes, *Our History is the Future,* p. 55.

[98] Ibid.,

> LRAD sound cannons. The 142 arrested were marked with a number in black permanent marker on their forearm, led onto buses, and kept overnight in dog kennels. To add insult to injury, personal belongings--including ceremonial items like pipes and eagle feathers, as well as jackets and tents-- confiscated by the police during the raid were returned soaked in urine.[99]

The militaristic approach to protecting ETP's interest coordinated with legal channels, the local sheriff's office, and the media worked to portray the Water Protectors as criminals.[100] Mainstream coverage would use words like "protestor," rather than "Water Protectors" or "clash" to describe the frequent use of unjustified force by 'the posse,' as if there was equal responsibility between the weaponless Water Protectors and the highly militarized police force. By the time the camp was razed in February, 832 Water Protectors had been arrested.[101] In order to humiliate the Water Protectors, strip searches were common. However, journalist Jenni Money, herself arrested, said that they were primarily reserved for Native people and people of color, leaving white inmates exempt.[102] Members of the press trying to provide a counter-narrative, such as Amy Goodman of DemocracyNow!, who had captured footage of attack dogs being unleashed on unarmed protestors,[103] were also arrested and charged with criminal trespass and felony conspiracy.[104]

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[99] Estes, *Our History is the Future,* pp. 53-4.

[100] Alleen et al., "Leaked Documents Reveal Counterterrorism Tactics Used at Standing Rock to 'Defeat Pipeline Insurgencies"

[101] Estes, *Our History is the Future,* p. 64.

[102] Jenni Monet, May 3, 2017. "I Was Strip-Searched, But My White Cellmates Were Not," *Indian Country Today*. <https://indiancountrytoday.com/archive/strip-searched-white-cellmates-not>

[103] The Associated Press, Sept 4, 2016. "Oil Pipeline Protest Turns Violent in North Dakota," *NBCNews.* <https://www.nbcnews.com/news/us-news/oil-pipeline-protest-turns-violent-north-dakota-n642626>

[104] DemocracyNow!, Sep 4, 2016. "Video: Dakota Access Pipeline Company Attacks Native American Protesters with Dogs and Pepper Spray," *DemocracyNow!* <https://www.democracynow.org/2016/9/4/dakota_access_pipeline_company_attacks_native>

Word of the brutality started to get out and during the dark and cold December, thousands of U.S. Army veterans began to arrive at Standing Rock, pledging to assemble, unarmed, to protect the Water Protectors from further violence.[105] Planning to act as peaceful human shields for the Water Protectors, they came from all walks of life including one 97-year-old woman who had been a nurse in World War II.[106] Upon arriving, the vets were greeted with buffalo stew and tribal elders briefed them on cold weather first aid strategies and reiterated the importance of keeping the protest peaceful, suggesting that if people begin to get agitated, they could partake in the tribal remedy; chew on a piece of bitter root to calm down.[107] The veterans' camp was positioned toward an unguarded area of access. The elders suspected that agitators paid by DAPL and involved with the CIA had been sent into the camp to disrupt the protest (they were right[108]) and felt the veterans might serve as a good deterrent.

Before direct action could take place, something unexpected happened... The vets offered a formal apology for the U.S. militaries' role in the oppression and genocide of Native Americans, and their own personal participation in American imperialism.[109] Activities were paused, and a forgiveness ceremony was organized at the Standing Rock casino. After speeches by several elders, Chief Leonard Crow Dog offered forgiveness and urged world peace, saying

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[105] Sophie Lewis, Nov 23, 2016. "Veterans to deploy for Standing Rock" *CNN.* <https://www.cnn.com/2016/11/22/us/veterans-stand-for-standing-rock-trnd/index.html>

[106] Tom Petersen, Dec 5, 2016. "Why I Joined My Fellow Vets at Standing Rock This Weekend," *ACLU*, <https://www.aclu.org/blog/racial-justice/american-indian-rights/why-i-joined-my-fellow-vets-standing-rock-weekend?redirect=blog/speak-freely/why-i-joined-my-fellow-vets-standing-rock-weekend>

[107] Ibid.

[108] Alleen Brown, Dec 30, 2018. "The Infiltrator: How an Undercover Oil Industry Mercenary Tricked Pipeline Opponents Into Believing He Was One of Them," *The Intercept,* <https://theintercept.com/2018/12/30/tigerswan-infiltrator-dakota-access-pipeline-standing-rock/>

[109] Sarah van Gelder, Dec 22, 2016. "Veteran Wesley Clark Jr: Why I Knelt Before Standing Rock Elders and Asked for Forgiveness," *EcoWatch*, <https://www.ecowatch.com/veterans-standing-rock-elders-2160559817.html>

"we do not own the land, the land owns us."[110] Almost all the vets in attendance were powerfully touched, with many driven to tears. Despite months of brutal abuse by DAPL security and the continued threat of the pipeline, the Water Protectors' seemingly inexhaustible capacity for care provided support and healing to the veterans of a military that has a long history of brutally oppressing Native Americans in general, including the Lakota.

As the winter rolled on, tensions only grew. While President Obama had not stopped the pipeline, he had not responded to Governor Dalrymple's request for stronger military support either. That September, a joint statement by the Department of Justice and Obama Administration arrived, suggesting that more government-to-government discussions were needed involving greater Tribal input.[111] Camp leaders were skeptical that things would change, but did not have to be skeptical for long. On November 8th, Donald Trump was elected President. The next day, the stock value of ETP increased by 15%.[112]

As November and December arrived, the weather worsened. A blizzard lasting weeks hit the camp. The few minor political victories won would be short lived, and on November 25th, the USACE issued an evacuation order for the Oceti Sakowin Camp, effective December 5th. On December 4th, the USACE announced it would not grant the necessary environmental permits for DAPL to dig under the river and would reconsider the permits already issued. Chairman

[110] Jenna Amatulli, Dec 6, 2016. "Forgiveness Ceremony Unites Veterans and Natives At Standing Rock Casino," *HuffPost*, <https://www.huffpost.com/entry/forgiveness-ceremony-unites-veterans-and-natives-at-standing-rock-casino_n_5845cdbbe4b055b31398b199>

[111] Department of Justice, Office of Public Affairs, Sep 9, 2016. "Joint Statement from the Department of Justice, the Department of the Army and the Department of the Interior Regarding Standing Rock Sioux Tribe v. U.S. Army Corps of Engineers" *The United States Department of Justice*.

[112] It's worth noting that Trump has a personal investment in ETP, between $500,000 and 1 million dollars, with further investments in Phillips 66, a large shareholder of ETP.

Archambault II had already asked that Water Protectors return to their homes, fearing the harm to young people by the cold winter and increased authority of 'the posse'.[113] When President Trump took office in January, he authorized DAPL to drill under the Missouri River by executive order.[114] On February 22, the Army Corps, Morton County Sheriff's office, and highway patrol forcefully evicted the last campers at Oceti Sakowin.[115]

However, Standing Rock continues to stand, stretching well beyond the physical dimensions of the camp. The Water Protectors have helped facilitate and inspire Indigenous-led resistance movements all over the globe, and the fight against DAPL and the exploitive logic of oil continues.

[113] Estes, *Our History is the Future*, p. 63.

[114] Robinson Meyer, Jan 24, 2017. "Trump's Dakota Access Pipeline Memo: What We Know Right Now," *The Atlantic,* <https://www.theatlantic.com/science/archive/2017/01/trumps-dakota-access-pipeline-memo-what-we-know-right-now/514271/>

[115] Sam Levin, Feb 22, 2017. "Police make arrests at Standing Rock in push to evict remaining activists," *the Guardian,* <https://www.theguardian.com/us-news/2017/feb/22/dakota-access-pipeline-standing-rock-evacuation-police>

CHAPTER 1

SETTLER COLONIALISM AND SOLIDARITY

1.1 Introduction

Academic writing has a long history of reifying colonialism. As such any written work within an academic space risks re-producing colonial relations of power. This chapter explores this danger considering the work of this dissertation. While it is my intention that the whole dissertation serve as a model of good solidarity, I use this chapter to explicitly explore how I have positioned myself and the dissertation to avoid facilitating more violence and erasure. Two major themes emerge from this chapter which guide the rest of the dissertation. The first is the responsibilities which emerge from my being a settler. For me, this means accounting for and criticizing the institutions that I am a part of. Hence, this dissertation investigates the discipline of environmental philosophy. The second theme, which also runs throughout the dissertation, is to focus on and amplify Indigenous sovereignty and self-determination. As such, I draw heavily on the example of Indigenous authors both for my theoretical framework and as examples of solidarity themselves. "The labor of settlers," writes Rachel Flowers, "should be to imagine alternative ways to be in relation with Indigenous peoples."[116] With this in mind, I have tried to construct a relationship *with* the Water Protectors through the dissertation.

Solidarity should ultimately be context sensitive. To attempt to apply blanket theories of solidarity is itself a categorizing (and colonizing) task.[117] With this in mind, I focus on the two

[116] Rachel Flowers, 2015. "Refusal to forgive: Indigenous women's love and rage" *Decolonization: Indigeneity, Education & Society* 4(2): p. 34.

[117] Joe Curnow and Anjali Helferty, 2018. "Contradictions of Solidarity: Whiteness, Settler Coloniality, and the Mainstream Environmental Movement" *Environment and Society: Advances in Research* 9: 145-163.

areas which are the focal points for the solidarity of this dissertation as a project: the environment and the academy. As I aim to show, both serve as institutions that have facilitated violence against Indigenous peoples.

Additionally, however some philosophers may feel about it, subjects of Philosophy scholarship are enduringly pale, male, stale, and often still strategically deployed in the pursuit of protecting imperial epistemologies.[118] Where black, Indigenous, and people of color (BIPOC) do appear in the canon of philosophy, or on standardized syllabi for introduction to philosophy courses, they are often tokenistically represented by scholars speaking on their behalf.[119] In contrast, for my dissertation I prioritize Indigenous voices in concert with the theme of Indigenous resurgence, maintaining the radicality of calls for political and material transformations. Indigenous peoples both in and outside of the academy have already written a great deal of literature and developed theories and practices of decolonization. I try to draw from Indigenous work to contribute in re-configuring the discourse about indigeneity, the environment, and colonialism in a way which amplifies Indigenous voices.

I position that re-configuration within the scope of the dissertation itself by attending to the ways in which the Western university has been a colonial institution. I tackle this by exploring the form of the dissertation as a written document and acknowledging its limited capacity to contribute to those who fight settler colonialism in their day-to-day existence. While I conclude that the dissertation provides a limited framework with regards to the repatriation

[118] Bhambra, Gurminder K., Dalia Gebrial and Kerem Nisancioglu eds. 2018. "Introduction: Decolonizing the University" in *Decolonizing the University* (London: Pluto Press), p. 6.

[119] Sara Ahmed. 2012. *On Being Included: Racism and Diversity in Institutional Life.* (Durham: Duke University Press.)

of Indigenous life and land, it does sit in a position of solidarity with the Water Protectors. We share a common goal; Indigenous resurgence is in our shared interest.[120]

1.2 Settler Colonialism and Erasure

In this section, I cover some basic elements of settler colonialism and settler colonial theory. The section serves to broadly introduce key concepts of settler colonialism and how it differs from articulations of colonialism found in postcolonial studies. Additionally, I discuss how settler colonialism works to facilitate the erasure of Indigenous peoples through tactics of dispossession, assimilation, and genocide.

While Indigenous scholars and activists have been engaged with its constitutive features for generations, settler colonial theory represents the increasing body of an emergent field known as settler colonial studies.[121] As a field of study,[122] the groundwork of settler colonial theory was largely demarked by Patrick Wolfe's *Settler Colonialism and the Transformation of Anthropology* (1999), "Settler colonialism and the Elimination of the Native" (2006), and Lorenzo Veracini's *Settler Colonialism: A theoretical Overview* (2010).

Perhaps the most significant contribution of settler colonial studies is, as Patrick Wolfe remarked, that settler colonialism is a "structure, not an event,"[123] meaning that settler

[120] In chapters 2 and 3 I try to show how it is in everyone's interest.

[121] Corey Snelgrove, Rita Kaur Dhamoon, and Jeff Corntassel, 2014. "Unsettling settler colonialism: The Discourse and politics of settlers, and solidarity with Indigenous nations" *Decolonization: Indigeneity, Education & Society* 3(2). pp. 1-32.

[122] Rather than a site of struggle

[123] Patrick Wolfe, 2006. "Settler colonialism and the elimination of the native" *Journal of Genocide Research* 8(4), 388.

colonialism is not confined to the past but is reasserted "each day of occupation."[124] Echoing post-colonial thinkers, such as Edward Said, Frantz Fanon, Homi Bhabha, and Gayatri Spivak, settler colonial studies rebuffs the mistaken notion that colonialism is over.[125] The second key insight is that the object of conquest for settler colonialism is not labor, but land.[126] Wolfe explains that "Territoriality is settler colonialism's specific, irreducible element."[127] As the theory posits; in traditional articulations of colonialism, the role of the colonized is to provide labor, resources, and a cultural 'Other' against which the colonial power builds and positions itself. In contrast, the role of Indigenous people in settler contexts is to disappear, through strategies of genocide, erasure, and cultural appropriation, making way for their replacement and the transformation of the land. This makes settler colonialism, and settler colonial analysis, somewhat antithetical to traditional 'postcolonial' analysis. Thus, settler colonial theory differentiates settler colonialism from colonialism. While colonialism is primarily defined by exogenous domination--whereby a colonial metropole dominates and extracts resources (including labor) from afar--settler colonialism is better understood as an ongoing project of erasure and replacement.[128]

The #noDAPL protest at Standing Rock is one primarily characterized by opposition to the settler colonialism of the United States, that is as a fight over territory. The land over which

[124] Eve Tuck and Yang, K. Wayne. 2012. 'Decolonization is not a metaphor', *Decolonization: Indigeneity, Education & Society* 1(1): p. 5.

[125] Bill Ashcroft, Gareth Griffiths and Helen Tiffin, 2013. *Postcolonial Studies: The Key Concepts.* 3rd ed. (London: Routledge). pp. 204-209.

[126] Patrick Wolfe, 1999. *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*. (London: Continuum) p. 1.

[127] Wolfe, "Settler Colonialism and the elimination of the native"

[128] Lorenzo Veracini, 2011. "Introducing: settler colonial studies" *Settler Colonial Studies* 1(1). p. 1-12.

the pipeline dispute took place is land which has been contested for hundreds of years, not just in 2016-2017. As such, the encroachment of the pipeline signifies another avenue of attack designed to dispossess the Lakota of access to traditional lands, part of an unbroken continuous project of erasure by the United States. Put another way, each day that oil flows illegally through the pipeline threatening the water supply against the wishes of the Tribe, occupation is, as Wolfe suggests, being continually reasserted.

Furthermore, it is critical to understand the physicality of the settler homeland creation process to understand the broader context of Standing Rock. Veracini explains that the goal of the settler colony is "characterized by a persistent drive to ultimately supersede the conditions of its operation,"[129] to fully facilitate the transformation of the land from one social/political/cultural articulation to another. As Kyle Whyte puts it:

> Europeans, and eventually U.S. Americans, had to physically shape the lands and waters to reflect their future aspirations and fears, economic systems, cultures, ways of life and heritages. They literally had to carve out, or inscribe, a homeland for themselves, within a territory whose ecosystems were already coupled with the social, political and cultural institutions of different populations.[130]

Hence in the context of DAPL, the pipeline signifies both an attempt to transform sacred lands into a conduit for oil while simultaneously threatening Indigenous life and livelihoods by contaminating the water—coordinated erasure efforts by corporations (capitalism) and the state. Understanding that settler colonialism is an ongoing structure, predicated on the erasure/genocide of Indigenous peoples in the service of transforming land from one social

[129] Veracini, "Introducing: settler colonial studies," p. 3.

[130] Kyle Whyte, 2016. "Indigeneity and US Settler Colonialism" in *Oxford Handbook of Philosophy and Race*. Edited by N. Zack. (New York: Oxford University Press), p. 10.

formation to another, the contest between the Standing Rock Sioux Reservation and Energy Transfer Partners to be a single point in a multi-century-long conflict over land becomes clear. The importance of this is to disentangle the settler imagination of the 'Indian' as an ecological steward and recognize the political aspects of sovereignty and self-determination at the forefront, not the backdrop, of the contest.

Dispossession involves not only the removal of Indigenous bodies from the land, but also the disappearance of Indigenous peoples as free peoples.[131] While settler colonialism may employ the organizing grammar of race, it does so in order to further the project of erasure and access to land. As Veracini puts it, "The successful settler colonies 'tame' a variety of wildernesses, end up establishing independent nations, effectively repress, co-opt, and extinguish indigenous alterities, and productively manage ethnic diversity."[132] Hence, the dual function of the organizing grammar of race in reducing Black people to slaves, constituted by their blackness while Indigenous North Americans were driven away, romanticized, assimilated, fenced in, and 'bred white',[133] both in service of the acquisition and transformation of territory. Put another way, for Indigenous peoples in settler spaces, "where they are is who they are."[134] Whatever racist utterances settler accounts may bear--and they bear a lot of those-- the primary motive for elimination of Indigenous peoples is access to territory.[135]

Veracini's position should not be taken to mean that racial domination is an

[131] Flowers, "Indigenous women's refusal to forgive," p. 34.

[132] Veracini, "Introduction: settler colonial studies," p. 3.

[133] See for instance initiatives to "kill the Indian, save the man," a quote from Richard Henry Pratt an Army officer who was instrumental in the construction of the Indian boarding school projects.

[134] Wolfe, "Settler colonialism and the elimination of the native," p. 388.

[135] Ibid.

unimportant or wholly different subject, rather how the organizing grammar of race is utilized by the settler state in a way shaped by the emerging tension of territoriality and replacement. Hence, things like racist primitivization characterization of Indigenous peoples' relationship with the land. Consider how Lyla June, a Diné/Cheyenne/European American musician, scholar, and activist, juxtaposes the Euro-descendent portray of Indigenous peoples:

> I think there's a huge mythology that Native people here were simpletons, they were primitive, half-naked nomads running around the forest, eating hand to mouth whatever they could find… That's how Europe portrays us. And it's portrayed us that way for so many centuries that even we start to believe that that's who we were.
>
> The reality is, Indigenous nations on this Turtle Island were highly organized. They densely populated the land, and they managed the land extensively. And this has a lot to do with food because a large motivation to prune the land, to burn the land, to reseed the land, and to sculpt the land was about feeding our nations. Not only our nations, but other animal nations, as well.[136]

The characterization of Indigenous nations here serves to undermine and occlude the complex antecedent relationships to the land which settlers wanted to replace. Furthermore, while settler colonialism is not synonymous with oppression coming from other systems of social ordering, like patriarchy, capitalism, racism, and white supremacy, these systems of domination are often related and decolonial efforts must often grapple with them intertwined.[137] Andrea Smith, reminds us that it is important to recognize the prominence of white supremacy in critiques of a settler state, otherwise there is no way to differentiate between different types of 'settlers.'[138] This is particularly salient in the United States. Put another way, in order to talk

[136] Tracy L. Barnett, 2019. "How the Women of Standing Rock are Building Sovereign Economies" *YES! Magazine*. Accessed March 5, 2021. <https://www.yesmagazine.org/environment/2019/08/24/standing-rock-women-indigenous-independence-economy/>

[137] Andrea Smith, 2008. "Indigeneity, Settler Colonialism, White Supremacy" in *Racial Formation in the Twenty-First Century*. Eds. Daniel Martinez HoSang, Oneka LaBennett, and Laura Pulido. University of California Press: pp. 66-90.

[138] Smith, "Indigeneity, Settler Colonialism, White Supremacy," p. 74 .

seriously about the United States, it is important to begin with the understanding that the political foundations undergirding all systems of domination are extensions of white supremacy.[139] Borrowing from bell hooks, the 'complicated' phrase *imperialist white supremacist capitalist patriarchy* represents an intellectual starting point from which to begin to unpack the dual projects of settler colonial replacement and slavery.[140]

The conquest of land and resources may also deploy sexual violence. As Rachel Flowers says; "Settler colonialism is invested in gaining certainty to lands and resources and will achieve access through the dispossession of Indigenous peoples, violently or legislative, a process that begins with the body, specifically the bodies of Indigenous women."[141] For instance, Nick Estes explores how white fur trading camps were not only territory markers and extractive hubs for capital from the land, but also cites of prolific rape and the conquest of Indigenous women's bodies.[142] He explains how the dramatic shift of gender relations that accompanied the conquest of white settlers reconfigured gendered relationships to property and land in a way which advanced white settlement. The practices of land appropriation and the appropriation of Indigenous women's bodies go "hand in hand."[143] Moreover, Muscogee jurist Sarah Deer suggests that rape itself can be deployed as an apt metaphor for the entire project of

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[139] J. Sakai, 2014. *Settlers: The Mythology of the White Proletariat from Mayflower to Modern*. (Oakland: Kersplebedeb Publishing)

[140] bell hooks, "Introduction" to *Writing Beyond Race: Living Theory and Practice*. (New York: Routledge), pp. 3-4.

[141] Veracini's use of the word wilderness is another indication of the production of a settler homeland. Wilderness, as a concept in the American environmental imagination, has been often used to occlude a diverse history of environmental management by Indigenous peoples. I discuss this more in the next chapter in light of environmental philosophy in particular.

[142] Nick Estes. 2019. *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance.* (New York: Verso), p. 79.

[143] Nick Estes, *Our History is the Future*, p. 83.

colonialism, because it not only is experienced individually, but is also part of a broader structure of domination.[144]

Standing Rock is principally a fight against settler colonialism. However, racist and sexist violence were often deployed against the Water Protectors. The confluence of support from many different groups and other Indigenous nations is indicative of how Standing Rock stands in solidarity with many anti-imperial, anti-capitalist, and anti-racist movements around the globe. However, it is important to note how intersectional approaches can lump Indigenous struggles in with broader, often Euro/Anglo leftist narratives. For instance, Hersha Walia describes how anarchists might point toward anti-authoritarian tendencies within Indigenous resistance, while environmentalists will overly highlight connections to broader environmental movements, and anti-racists subsume Indigenous struggles into the broader discourse about systems of racist oppression.[145] Such attempts at solidarity, while well-intentioned, may replicate assimilationist tendencies of liberal pluralism, "whereby indigenous identities are forced to fit within our existing groups and narratives."[146] Walia concludes that Indigenous struggles for self-determination demands solidarity on its own unique terms, not in accommodation with other struggles.[147]

Likewise, settler colonial studies itself has been the subject of criticism. Corey Snelgrove,

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[144] Sarah Deer, 2015. *The Beginning and End of Rape: Confronting Sexual Violence in Native America*. (Minneapolis: University of Minnesota Press), p. xvii.

[145] Harsha Walia, 2015. "Decolonize Together: Moving beyond a Politics of Solidarity toward a Practice of Decolonization", in *Taking Sides: Revolutionary Solidarity and the Poverty of Liberalism* edited by Cindy Milstein. (Chico: AK Press), p. 42.

[146] Walia, "Decolonize Together," p. 42.

[147] Ibid., 43.

Rita Kaur Dhamoon, and Jeff Corntassel, have warned that setter colonial studies may inadvertently produce reductive binaries of Indigenous and non-Indigenous while marginalizing Indigenous voices. For instance, they worry that settler colonial studies represents a distinct emerging field of study rather than a site of struggle which has been already critiqued by Indigenous peoples for generations.[148] Alissa Macoun and Elizabeth Strakosch,[149] additionally posit how settler colonial studies produces a kind of colonial fatalism which suggests an inevitability of settler projects,[150] reminiscent of other modernist approaches which appeal to a kind of universalist grammar. As such, settler colonial studies may provide a meta-structure which itself erases and replaces the contingent structure of settler relations and the dynamics which contribute to that structure; namely, racist, patriarchal, and capitalist frameworks.[151]

To avoid this, it is crucial to facilitate Indigenous studies and Indigenous resurgence as sites of departure from the primarily settler framework of settler colonial studies. As such, the theoretical framework which I deploy throughout the dissertation draws heavily from Indigenous studies and from the example laid out by the Water Protectors.

In summary, settler colonial theory has many useful features. Particularly, the emphasis on the logic of elimination helps to clarify what the incommensurability between, for instance, Indigenous and civil rights struggles,[152] while providing a useful tool for anticipating and

[148] Snelgrove et al., "Unsettling settler colonialism," p. 7.

[149] Alissa Macoun and Elizabeth Strakosch, 2013. "The ethical demands of settler colonial theory" *Settler Colonial Studies* 3(2). p 435.

[150] Macoun and Strakosch, "The ethical demands of settler colonial theory," p 435.

[151] Snelgrove et al., "Unsettling settler colonialism," p. 9.

[152] Eve Tuck and Yang, K. Wayne. 2012. 'Decolonization is not a metaphor', *Decolonization: Indigeneity, Education & Society* 1(1): 1-40.

understanding dynamics of history which are invisible for settlers specifically. However, as Snelgrove et al. warn, settler colonial studies can easily displace Indigenous studies or variations within and the complexities of racial and gender violence can never be really divorced from Indigenous struggles for self-determination.[153]

I return to the logic of elimination in chapter 2 when I discuss erasure and the absence of literature about Standing Rock in environmental philosophy journals. Understanding how settler colonialism functions as a project of violent erasure, I now turn to exploring the set of responsibilities which follow for me as a settler writing about Indigenous people in an academic setting.

1.3 Decolonization and Solidarity

This section takes up the question of what decolonization means in settler colonial contexts and explores how I configure the work of the dissertation in a way which aligns with the goals of Indigenous people resisting settler colonialism. Here I sketch out a general overview of solidarity, discussing what responsibilities emerge for me as a settler and the limits of the dissertation to produce the material changes of decolonization.

I want to start with a transcribed passage from Faith Spotted Eagle, taken from an interview at the Oceti Sakowin Camp in 2016. In the clip which I transcribe here, as closely as I can,[154] she reflects on the unique tasks of Indigenous people and settlers at Standing Rock. Her words are very powerful, and I have drawn a great deal of inspiration from them in writing this

[153] Tuck and Yang, 2012. "Decolonization is not a Metaphor." I return to this subject in chapter 3

[154] I have chosen to cut only small portions of the 2 minute and 46 second clip, and preserve, where possible, the idiosyncrasies of her speech which has a kind of circular rhythm too it. Hence, I have left the "And so's." I recommend watching the clip which can be found at https://vimeo.com/198902656.

chapter and producing this dissertation. What she says here, in many ways, serves as a model for the understanding of solidary which I try to embody in the whole work:

> The challenge has been to not reify colonialism. And so that's the danger... the other danger is that the camp has begun-- and it's not danger its just reality that the camp is starting to reflect what is in the outer world that we are 1% of the population. So now the camp has, at this stage, many months into this situation or this rebirth is that probably 80% of the camp is non-native. And so that presents this challenge; here we are now we're confronting settler colonialism again. And you even see that on the grounds because some of the settlers that have come in--unknowingly it's almost like it's in their DNA--they're scraping for space on the campground. And so it's like they're building, building, it's like they can't control themselves. And houses are going up, and they're just like grabbing. And so that's their task, to realize that they have that settler mind. And then our task is to realize that we will make mistakes but we have to not reify what happened before.
>
> And I think it's important for everybody who goes to a setting like that, including outsiders but more so for the people who come from this land, is that a fundamental thing in leadership is to understand what your role is. If you don't know what you're doing here you're in the way and you become a burden. And it's kinda like if you go stay with your Auntie, you're expected to fold your blankets, you're expected to take out the trash, you're expected to, if necessary, get that job right away to help her pay the electricity. And so someone will show up here with nothing and so that puts a burden on the camp. And so we try to as much as possible to make people aware that Standing Rock is bearing the burden.
>
> It's gonna be a challenge because there are non-Native people who have come here, bless their hearts, that are looking for their spirits. And to them I say, 'we want you also to heal from what happened with your culture…' So now they're looking to try to be Indians, and we don't have their answer. We need for them to stand in their full spirit. Otherwise, they're a weight on us.[155]

While well intentioned, the non-native allies who arrived at the camp in many ways were, in her words, "looking for their spirit." Their task, according to her, was to realize that they had a "settler mind" and to "stand in their own full spirit." She explains that it is easy to become a burden which ultimately the people of Standing Rock must bear, on top of the enormous

[155] Longhouse Media, 2016. "Confronting Settler Colonialism – Faith Spotted Eagle" Vimeo (2:46 minutes) <https://vimeo.com/198902656>

burden of fighting the pipeline in the first place. Along those same lines, I am grateful to have read and learned from Rachel Flowers' work "Refusal to forgive: Indigenous women's love and rage" that the designation "settler" includes a set of responsibilities. Bearing their words in mind, this section reflects my attempt to grapple with responsibilities which emerge in writing a dissertation about Standing Rock.

Flowers suggests that settlers should seek to make changes within the systems which privilege them, and that their cue should be taken from Indigenous actions. However, settlers must not rely on Indigenous peoples to know what exactly to do,[156] i.e. settlers need to "stand in full spirit" ultimately on their own. She explains that settlers have an obligation to oppose the misconduct of their government and their institutions when they interfere in the business of Indigenous repatriation of land and life.[157] Moreover, she says this is "not for *our* benefit, but because that is what it means to live lawfully in a treaty relationship."[158] Likewise, careful scrutiny of the ways in which settlers find themselves complicit in the violence of occupation necessitates a willingness to break from systems of power that produce privilege on account of that occupation.

Flowers' analysis draws on Foucault, to discuss how the settler institutions work to ensure their own preservation, and that settler subjectivity covertly mimics these colonial institutional structures. In other words, Foucault's call to unmask institutions necessitates both a critical reflection on explicit systems of power, such as in my case the University I inhabit, but

[156] Flowers, "Refusal to Forgive," p. 37.

[157] Ibid.

[158] Ibid.

also our own subjectivity as settlers. Drawing then on the words of Foucault:

> The real political task in a society such as ours is to criticize the workings of institutions that appear to be both neutral and independent, to criticize and attack them in a manner that the political violence that has always exercised itself obscurely through them will be unmasked, so that one can fight against them.[159]

Hence, the path forward for settler scholars looking to be in solidarity with Indigenous pathways of resistance to oppression necessitates a careful balance of listening and taking cues to action from Indigenous and other marginalized peoples, but also attending to the settler institutions we inhabit; working to learn about and disrupt their function in the production of violence. In this way, the dissertation offers solidarity by focusing on accounting for the ways in which the institution I inhabit, the discipline of environmental philosophy, participates in settler colonial violence by omission. This dissertation helps to break the silence on Standing Rock within environmental philosophy. Moreover, my prescriptions for environmental philosophy are not my own, but rather are received gratefully from scholarship by Indigenous authors (particularly Kyle Whyte, Nick Estes, and Brian Burkhart) and by example from the Water Protectors at Standing Rock. I utilize the analytical tools and framework provided by their example to point toward the settler structure of the academy. Those settler institutions, rather than Standing Rock, is the target of my analysis and critique.

One of the most important aspects of Indigenous solidarity organizing, such as at Standing Rock, is the notion of taking leadership.[160] Just like how Faith Spotted Eagle suggests that Indigenous and non-Indigenous people have separate roles, Hersha Walia explains how

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[159] Noam Chomsky & Michel Foucault, 2006*. The Chomsky-Foucault debate: On human nature.* (New York: New Press).

[160] Harsha Walia, "Decolonize Together," p. 46.

according to the principles governing Indigenous ideas of leadership, "non-natives must be accountable and responsive to the experiences, voices, needs and political perspectives of Indigenous people themselves… Indigenous struggles cannot be dictated by non-natives."[161] In the context of academia, and my dissertation, taking leadership means being humble and honoring the frontline activists and voices of resistance. Important is a willingness to decenter oneself. Included in this is taking initiative for self-education about the histories of the lands I reside upon and the lands I write about. For the latter, I am indebted to the wonderful work of Nick Estes in his book *Our history is the Future: Standing Rock Versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance*.[162] His book makes this dissertation possible.

However, none of these moves make me or the dissertation an ally. Stephanie Irlbacher-Fox explains that allyship is conferred by indigenous people, not a self-descriptor.[163] This means that allyship is also an impermanent designation; contingent on circumstances by which a non-indigenous person interacts with indigenous peoples and their specific goals. For instance, the U.S. military veterans and other non-indigenous people who went to the Oceti Sakowin camp to literally, physically stand with the Standing Rock tribe were allies.[164] Allyships are crucial[165] but because of the complexities of social power and privilege, it is important that those

[161] Harsha Walia, "Decolonize Together," p. 46.

[162] Also helpful has been Roxanne Dunbar-Ortiz, 2014. *An Indigenous Peoples History of the United States*. (Boston: Beacon Press).

[163] Stephanie Irlbacher-Fox, 2014. "Traditional knowledge, co-existence and co-resistance" *Decoloniztion: Indigeneity, Education & Society* 3(3), p. 151.

[164] Sam Levin, Feb. 11 2017. "Army veterans return to Standing Rock to form a human shield against police" *The Guardian*. < https://www.theguardian.com/us-news/2017/feb/11/standing-rock-army-veterans-camp>

[165] Estes, "Our history is the future," p. 7.

relationships be respectful and reciprocal. My relationship to the Water Protectors, particularly vis. this document, is not one of an ally. However, we share some common goals.

Solidarity, in contrast to allyship, represents a common goal mediated by a mutual obstacle. For instance, Nick Estes sees the work of defeating capitalism as profoundly implicated in the work of decolonization. He ends his book by writing "For the earth to live, capitalism must die,"[166] and throughout the volume, puts himself in a position of solidarity with Marxists, Communists, Anarchists, feminists and others who would oppose capitalism. Likewise, some non-Indigenous women have begun to participate in decolonization efforts as a means of undermining the patriarchal structures deeply entwined with settler colonialism and decolonialism is increasingly included in feminist discourse.[167] One does not need to be an ally to Indigenous people in order to engage in decolonizing. One needs no ally status, for instance, in order to educate other non-Indigenous people about the history of settler colonialism.[168] Furthermore, decolonization often aligns with other social justice goals, and these can be sites of contextual solidarity, for instance the common goals shared by the Water Protectors and #BlackLivesMatter activism.[169] Drawing these examples back to the present work, I do not need ally status to articulate that the absence of a discussion of Standing Rock in journals of environmental philosophy represents a potentially fatal failure, both to recognize the violence

[166] Estes, "Our history is the future," p. 262.

[167] Irlbacher-Fox, "Traditional knowledge, co-existence and co-resistance," p. 151.

[168] Ibid.

[169] BlackLivesMatter Facebook Group, Sep 2. 2016. "Black Lives Matter stands with Standing Rock." < https://www.facebook.com/BlackLivesMatter/posts/black-lives-matter-stands-with-standing-rock-as-there-are-many-diverse-manifesta/635467476624501/> Of note, the official page for this solidarity statement has 404'd: https://blacklivesmatter.com/solidarity-with-standing-rock/?fbclid=IwAR3wilpfGiN9WlH3iRRUpXDTKLXbIwaHfh5vIj-O50EIPldfbr-fY_FntD0

inherent in silence and to recognize the importance of Indigenous sovereignty to the project of environmental ethics.

However, positioning decolonialism next to other social justice issues poses some troubling contradictions. The most powerful challenge to scholars attending to questions of decolonization comes from an influential essay entitled "Decoloniziation is not a metaphor" in which authors Eve Tuck and Andrew Yang remind all scholars engaged with indigenous issues that decolonization represents real political aims to repossess stolen indigenous land. Decolonization efforts, they argue, are unlike and incommensurable with other social justice issues and using "decolonization as a metaphor… recentres whiteness, it resettles theory, it extends innocence to the settler, it entertains a settler future."[170] Diversifying faculty or moving away from a Eurocentric curriculum might invoke the language of decolonization as a metaphor, but those things do not further the political aim of decolonialism; to repossess indigenous lands. For Tuck and Yang, decolonization is about securing an indigenous future over and against what is irreconcilable within settler relationships or other social justice projects. Therefore, they find it worrying that the language of decolonization is used in place of other social justice terms when speaking broadly about oppression.

Instead, Tuck and Yang advocate "attending to what is irreconcilable within settler colonial relations and what is incommensurable between decolonizing projects and other social justice projects will help to reduce the frustration of attempts at solidarity"[171] By focusing on what is precisely unsettling or distressing about decolonization we salvage decolonialism from

[170] Tuck and Yang, "Decolonization is not a Metaphor," p. 3.

[171] Ibid., p. 4.

co-option into neoliberal logics of diversity. Attempts to collaborate across movements or intellectual traditions may replicate colonial power structures, undermining attempts at building coalitions.

Kyle Whyte (2018) echos Tuck and Yang by saying that "One can't claim to be an ally if one's agenda is to prevent his or her own future dystopias through actions that also preserve today's Indigenous dystopias."[172] Instead, he argues that "A decolonizing approach to allyship must challenge the resilience of settler privilege, which involves directly facing the very different ecological realities we dwell in."[173] Recognizing Tuck and Yang's important reminder; this dissertation is not decolonial or decolonizing in their sense. It does not further the political aim of restoring traditional lands to the Standing Rock tribe. Instead, it attends to settler privilege, specifically as old colonial fantasies about the environment come into conflict with emerging literature about settler colonialism and indigenous environmental justice. As Kyle Whyte says, he "doesn't see much differentiating those who fight to protect the colonial fantasy of wilderness from those who claim the Dakota Access pipeline does not cross Indigenous lands."[174]

Ultimately, a dissertation is a difficult site for decolonial solidarity. While I have tried in this dissertation to model an approach which both takes cues from Indigenous scholarship and resistance and attempts to expose and work to rectify the absence of a thoughtful engagement

[172] Kyle Whyte, 2018. "White Allies, Let's Be Honest About Decolonization" *YES! Magazine*, the decolonize special issue. Accessed March 17, 2019. <https://www.yesmagazine.org/issues/decolonize/white-allies-lets-be-honest-about-decolonization-20180403>

[173] Ibid.

[174] Ibid.

with issues emerging from settler colonialism in environmental philosophy, the dissertation does nothing to bring about the repatriation of Indigenous life and land. I sit with the awareness that my dissertation does not, as Tuck and Yang suggest, decolonize anything. I would like to acknowledge the limitations by mimicking the agonized duel opening of Boaventura de Sousa Santos book *Epistemologies of the South: Justice Against Epistemicide.* He begins his book by writing:

> This book begins by acknowledging its limited capacity to contribute to the success of all those rallying for good living/*buen vivir*--if for no other reason than because it is written on this side of the line. To be sure, its thinking is on the other side of the line, but its life, as a book, cannot but be on this side of the line… This book is thus, at best, a reluctant ally, even if the solidarity it expresses is not reluctant at all.[175]

Likewise, I feel this dissertation is a reluctant ally-- that is, its form and structure do not make room for real solidarity. Even if its spirit is wholly committed to solidarity, as a study it contributes only in a very limited way to the ongoing fight against settler colonialism. It is written on this side of the line, even if the solidarity it expresses is not reluctant at all.

1.4 Environmentalism and the Settler Fantasy

In this section, I briefly cover a few fundamental points toward unpacking the colonial legacy of environmentalism.[176] I do this to remind myself and the reader that the current ecological epoch is one fantasized and materialized by settler ancestors and that this too leads to obligations for settlers. I argue for a conceptualization of 'nature' as social to ultimately argue that environmental solidarity requires an accounting for the environmental privileges

[175] Boaventura de Sousa Santos, 2014. *Epistemologies of the South: Justice Against Epistemicide.* Routledge: p. 3.

[176] I do this more in chapter 2 as well.

afforded by settler colonialism and a commitment to refuse them.

Scholars across many disciplines have shown that separating environmental issues from other social issues is a mistake. The environmental justice movement has exposed that the impacts of environmental degradation, including climate change, are felt most strongly by marginalized communities.[177] Environmental destruction/injustice are inherently tied to patriarchy (Salleh), racism (Pellow), Capitalism (Kline, Estes), colonialism (Kyle Whyte, J.m. Bacon), and others. With a particular emphasis on settler colonialism, Lee Maracle notes that "violence to earth and violence between humans are connected"[178] and Tuck and Yang echo "The disruption of Indigenous relationships to land represents a profound epistemic, ontological, cosmological violence."[179] Conversely, attempts to isolate what "nature" is, and how to have an ethical relationship with it without attending to the ways in which "nature" is of social construction, perpetuate problematic social dynamics like those listed above.

The settler imaginary of the environment often produces environmental ruin as a byproduct of development, without a critical account for how climate change has come to be produced through the geographic violence of colonization. For instance, recently scholars have commented on the emergence of ubiquitous discussions of a new environmental epoch, called the 'anthropocene,' arguing that a geologic distinction can be made between pre and post-industrial human civilization. However, discussions about the Anthropocene are often devoid of

[177] Robert Bullard and Beverly Hendrix Wright, 1993. "Environmental Justice for all: Community Perspectives on Health and Research," *Toxicology and Industrial Health* 9(5): pp. 821-841

[178] Lee Maracle, 2015. *Memory Serves: Oratories (Writer as Critic)* (Edmonton: NeWest Press), p. 53.

[179] Tuck and Yang, "Decolonization is not a Metaphor," p. 5.

critical analysis of precisely *which* humans are manifesting this new epoch.[180] Moreover, while the framing of these discussions tends to push for prevention of widespread environmental catastrophe as "the unintended adverse effects of human interventions into 'natural' processes;"[181] there is little mention of constitutive violence. In the case of the anthropocene, settler colonial theory can help overcome the notorious difficulty of establishing intention or responsibility within a concrete historical context which does not end with the passing away of colonized bodies, but is instead "engrained in, and integral to, the very lively Earth systems that persist today and will continue into the far future."[182] Hence, a 'decolonized anthropocene' sheds light on the colonial legacy of global environmental degradation, contextualizing it within a lineage of dispossession of indigenous lands, rather than abstracting it. A 'decolonized anthropocene' would be a critical project that understands the institutions of colonialism which now govern the environment are not inevitable or a byproduct of an inevitable 'human nature.'[183]

The important point for scholars and activists thinking through the environmental crisis is to remember that for many Indigenous people in the world, environmental apocalypse began centuries ago. Failure to acknowledge this facilitates the process of erasure of Indigenous sovereignty while at the same time playing into settler-oriented fears about future dangers.

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[180] Kyle Whyte, 2017. "Indigenous Climate Change Studies: Indigenizing Futures, Decolonizing the Anthropocene," *English Language Notes*, 55(1): p. 159.

[181] Audra Mitchell, Mar. 17 2015. "Decolonising the Anthropocene," *Worldly* (blog) <https://worldlyir.wordpress.com/2015/03/17/decolonising-the-anthropocene/>

[182] Ibid.

[183] Heather Davis and Zoe Todd, "On the Importance of a Date, or Decolonizing the Anthropocene," *ACME: An International Journal for Critical Geographies* 16(4): p. 763.

Moreover, technocratic solutions often proposed which do not consider the colonial project as the basis for environmental ruination further violence. In other words, technocratic, or technoscientific solutions to environmental issues are ones which work to secure, rather than challenge, settler futurity.[184] By positioning the climate crisis as impending, rather than long present, settler scholars mask the fact that this environmental epoch is "one their ancestors would have likely fantasized about."[185] About allyship, Kyle Whyte writes: "Decolonizing allyship requires allies to be critical about their environmental realities--and about the purpose of their environmentalism. To do this, allies must realize they are living in the environmental fantasies of their settler ancestors."[186] Living in the fantasies of settler ancestors also means having privileges which emerged from the historic and ongoing dispossession of Indigenous people from traditional lands.[187]

I want to be clear here, having privileges which emerge because of Indigenous dispossession is not a matter of how one's ancestors arrived in the settler state or even if you live in a settler state at all. Rather, what privileges emerge *as a result* of dispossession signifies one's relationship to the category 'settler'. The task for environmentalists looking to be better allies to Indigenous decolonization efforts beyond sympathetic beneficiaries of colonialism becomes one of accounting for and working to refuse (refute) those privileges. As Indigenous

[184] Kyle Whyte, 2018. "Indigenous Science (fiction) for the Anthropocene: Ancestral dystopias and fantasies of climate change crises," *Environment and Planning E: Nature and Space* 1(4): 224-242.

[185] Ibid.

[186] Whyte, "White Allies, Let's Be Honest About Decolonization"

[187] Ibid.

peoples increasingly take up the politics of refusal,[188] the settler too must demonstrate a willingness to refuse their privilege and be refused. As Whyte puts it: "One can't claim to be an ally if one's agenda is to prevent his or her own future dystopias through actions that also preserve today's Indigenous dystopias."[189] What this means, and what I argue throughout this dissertation, is that Indigenous sovereignty and self-determination are crucial and core goals for environmentalists and environmental philosophers.

Given the social nature of the environment, as it is rendered in settler colonial societies, environmental solidarity is not separate from solidarity in other social institutions, even though I have separated them here in these sections. In the sense I have presented it here, 'the environment' or environmentalism can often function as an institution which facilitates and produces erasure of Indigenous peoples. In the coming section, I turn toward the second institution that my dissertation interfaces with; the academy.

1.5 Academic Solidarity

Universities have been, and continue to be, colonial institutions. An examination of the history of the colonial project--that is the European history of colonizing the world--reveals that the Western university is a key nexus in which colonial knowledge is produced, distributed, re-enforced, justified, and embodied.[190] It was in Western universities that the intellectual grounds for dispossession, oppression and domination developed. The Western university

[188] Audra Simpson, 2014. *Mohawk Interruptus: Political Life Across the Borders of Settler States*. (Durham: Duke University Press), and Glen Sean Coulthard, 2014. *Red Skin, White Masks* (Minneapolis: University of Minnesota Press).

[189] Whyte, "White Allies, Let's Be Honest About Decolonization"

[190] Bhambra, Gurminder K., Dalia Gebrial and Kerem Nisancioglu eds. 2018. "Introduction: Decolonizing the University" in *Decolonizing the University*. (Pluto Press: London), p. 5.

was/is constructed alongside its colonial history, and the university is a key institution in the European colonial enterprise. The demographics of bodies who inhabit the faculty of university and the ideas which are deemed to have intellectual merit, are a reflection of empire.[191] Indeed, the project of decolonizing any parts of the world would, in part, have to overcome the deeply rooted ideologies that Europe exported through the establishment of universities. More narrowly, in the context of United States, the 'civilizing' mission of boarding schools[192], dehumanizing research practices[193], and the exclusion of Indigenous languages and ways of knowing in spaces of education[194] have created a great deal of mistrust between the United States and American Indians. Additionally, universities in the United States are physically built on stolen land.[195] In fact, anyone who has spent time studying or working at a university will know that land accumulation for development is a defining trait of a competitive, modern campus.[196] So fundamental to the foundations of American universities is settler colonialism, both figuratively and literally, that it is difficult while operating within the framework of the university to not participate in the colonial project. The buildings I write this dissertation in at the University of North Texas could not have been built, literally, had it not been for the

[191] Michael A. Peters, 2015. "Why is My Curriculum White?", *Educational Philosophy and Theory*, 4(7): pp. 641-646

[192] Sandy Grande, 2015. *Red Pedagogy: Native American Social and Political Thought* (London: Rowman & Littlefield), p. 16.

[193] Linda Tuhiwai Smith, 2012. *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books).

[194] Margaret Kovach, 2009. "Story as Indigenous Methodology" in *Indigenous Methodologies: Characteristics, Conversations, and Contexts* (Toronto: University of Toronto Press), pp. 94-108

[195] Robert Lee and Tristan Ahtone, March 30 2020. "Land-grab universities: Expropriated Indigenous land is the foundation of the land-grant university system" *High Country News*. <https://www.hcn.org/issues/52.4/indigenous-affairs-education-land-grab-universities>

[196] La paperson, 2017. "Land. And the University is Settler Colonial" in *A third University Is Possible.* (Minneapolis: University of Minnesota Press).

dispossession of Indigenous peoples of/from this land. In particular, the University of North Texas is built on the occupied/unceded/seized territory of the Wichita and Caddo Affiliated Tribes.

Given this history, efforts made toward decolonization from within the institution of the Western university risk co-option into colonial projects. Zoe Todd warns that "Disciplines, discipline" while lamenting her own inability to express indigeneity in her blog.[197] This is due to the functional position of the Western university as producer of colonial frameworks of knowledge.[198] Historically, universities outside of the metropole, such as those erected in colonies, served as a training ground for would-be colonial masters.[199] The structure of research with regards to the colonies was extractive in nature[200] and writing with regards to Indigenous peoples served to create an Imperial "Other," bolstering support for colonial endeavors. Even the term 'research' is "inextricably linked to European imperialism and colonialism." writes Linda Tuhiwai Smith. "The word itself, 'research,' is probably one of the dirtiest words in the indigenous world's vocabulary."[201] She explores the way memories of imperialism conjure up the measuring of Indigenous skulls to quantify rational faculties, the exploitation of Indigenous knowledge systems while simultaneously disempowering Indigenous

[197] Zoe Todd, May 12, 2018. "Should I stay or should I go?" *anthro{dendum}* (blog) <https://anthrodendum.org/2018/05/12/should-i-stay-or-should-i-go/>.

[198] Smith, *Decolonizing Methodologies,* p. 66.

[199] Bhambra, et al., *Decolonizing the University*, p. 5.

[200] Smith, *Decolonizing Methodologies,* p. 1.

[201] Ibid.

communities to continue to develop or practice them--all in the service of justifying the theft of land.[202]

By attending to the lack of response among environmental philosophy journals of #noDAPL, I orient my project away from an objectifying study *of* indigenous peoples; to avoid treating indigenous peoples as objects of abstracting academic inquiry. However, there are many dangers in attempting to do this. Gada Mahrouse argues that whiteness is intrinsic to solidarity activism, and that solidarity is built on the assumption that people will only take notice of social justice issues when advocated about by white people.[203] In academic settings, often Indigenous ideas are promulgated only when established within a canonic discourse when articulated by white male scholars. Dr. Zoe Todd, for example, points out how the sweeping 'ontological turn' in anthropology which criticizes the nature-culture dichotomy is most heavily associated with the work of Bruno Latour, even though Indigenous thinkers all over the world have been theorizing against the Modern notion of a nature-culture distinction for centuries.[204] The problem here is not Latour stealing or plagiarizing indigenous work, rather Todd means to reveal that Indigenous work is largely invisible prior to similar articulations by white men. Further, these ideas are vital to the continued existence of Indigenous peoples and cultural practices.[205] It is that same modern worldview of a distinct nature which has justified

[202] Ibid., 2-3.

[203] Gada Mahrouse, 2014. *Conflicted Commitments: Race, Privilege, and Power in Solidarity Activism*. (Montreal: Mcgill-Queens University Press), p. 4

[204] Zoe Todd. 2015, 21 Sep. "Decolonizing Nature, the Academy, and Europe: an interview with Métis writer Zoe Todd" for *Uneven Earth,* accessed March 2 2019. <http://unevenearth.org/2015/09/decolonizing-nature-the-academy-and-europe/>

[205] Kyle Whyte. 2018. "What Do Indigenous Knowledges Do for Indigenous Peoples?" *In Traditional Ecological Knowledge: Learning from Indigenous Practices of Environmental Sustainability.* Edited by M.K. Nelson and D. Shilling, (New York: Cambridge University Press.), pp. 57-82.

the domination of Indigenous peoples and the environment. Many Indigenous groups now face existential threats to themselves and their traditional ways of life from the effects of climate change, a product of modern ideology.[206] So for Indigenous peoples the discussion over the ontological composition of nature is not just one of correct intellectual understanding, but a matter of survival itself.[207] The reduction of the nature-culture ontology to only a matter of academic significance ignores the inherent links to colonial laws and policies which produced the nature-culture divide and which continue to destabilize Indigenous livelihoods, threaten Indigenous sovereignty, and prevent justice for Indigenous peoples.[208]

To draw this point in more closely; a dissertation is a written work, and privileged writing is another way in which the university has marginalized Indigenous forms of discourse. Just as Indigenous law has not been respected as law, Indigenous speech and oral history have not been respected as texts.[209] I am hoping with this project to draw attention to and connections toward decolonial theory and environmental justice, including with attention to forms of discourse which are not insularly academic. Many environmental justice movements, especially ones involving Indigenous peoples, have been organized, articulated, and actualized through non-written forms like social media videos, marches, works of art, oral

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[206] Nakashima, D.J., Galloway McLean, K., Thulstrup, H.D., Ramos Castillo, A. and Rubis, J.T. 2012. *Weathering Uncertainty: Traditional Knowledge for Climate Change Assessment and Adaptation.* Paris, UNESCO, and Darwin, UNU for the effects of climate change on indigenous peoples.

[207] Kyle Whyte. 2018. "What Do Indigenous Knowledges Do For Indigenous Peoples?"

[208] Kyle Whyte. 2018. "Settler Colonialism, Ecology, and Environmental Justice" *Environment and Society: Advances in Modern Research* (9) pp. 125-144.

[209] Three examples: 1) Val Napoleon, 2013. "Thinking about Indigenous Legal Orders" in *Dialogues on Human Rights and Legal Pluralism* R. Provost and C. Sheppard, eds. Pp. 229-245. 2) Burke Hendrix, 2010. "Political Authority and Indigenous Sovereignty" *The Good Society* 19(2). Pp.47-52. 3) Leanne Betasamosake Simpson. 2008. "Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships" *Wicazo Sa Review* 23(2): pp. 29-42.

pronouncements, symbolic gestures and so-forth.[210] While a dissertation adheres a conventional academic structure, a decolonizing philosophy would take these expressions as constituting meaningful discourse and treat them as both practice and theory. Citing these as spaces of indigenous resistance, is not meant to legitimize or academize these types of resistance--as Zoe Todd discusses--but is intended to point toward them as legitimate expressions of intellectual resistance beyond the written word.

With regards to academic writing, Linda Tuhiwai Smith spends a great deal of time trying to reconcile the difficulty of weaponizing the academic tradition of writing in a way which serves her own community rather than contributing to the style of discourse built on texts hostile to Indigenous peoples.[211] As Lorde famously warns, the master's tools will never tear down the master's house.[212] As an Indigenous author herself, Smith argues that reflecting critically on one's audience is as important as thinking critically about one's subject matter.[213] A partial answer is offered by questions posed by Edward Said who asks: "Who writes? For whom is the writing being done? In what circumstances? These it seems to me are the questions whose answers provide us with the ingredients making a politics of interpretation."[214] For Indigenous authors, commitment to their own community often must trump commitments to

[210] Penelope Edmonds, 2016. *Settler Colonialism and (Re)Conciliation: Frontier Violence, Affective Performances, and Imaginative Refoundings* (Palgrave Macmillan: New York).

[211] Smith, *Decolonizing Methodologies*, pp. 37-8.

[212] Audre Lorde, 2018. *The Master's Tools Will Never Dismantle the Master's House.* (London: Penguin Modern).

[213] Smith, *Decolonizing Methodologies*, p. 38.

[214] Edward Said, 1983. "Opponents, Audiences, Constituencies and Community," in *The politics of Interpretation*, ed. W.J.T. Mitches, (Chicago: University of Chicago Press), p. 7.

disciplinary rigor.[215] I form a partial answer to the question "who writes?" by drawing on the examples of Indigenous scholars who deconstruct the medium of academic texts.

Here I just quickly offer a few examples which disrupt the erasure produced by academic writing, examples of Indigenous re-constitution in academic spaces: For instance, in *Standing with Standing Rock: Voices from the #noDAPL movement*, editors Nick Estes and Jaskiran Dhillion combine traditional academic essays with a mixture of storytelling, verbatim interviews with elders, poetry, and photography.[216] Likewise, Editors Dorothy Christian and Rita Wong collect traditional articles, as well as poetry, and transcriptions of Indigenous oral presentations to highlight and thank water for its life-sustaining energies in *downstream: reimagining water*. In addition to learning and listening about water, the editors encourage readers who struggle to move through the transcriptions to consider what is lost, gained, or shifted in the movement from orality to the written word.[217] High levels of interdisciplinarity feature strongly, as both books bring together artists with writers, scientists, environmentalists, and activists.

In *Epistemologies of the South*: *Justice against Epistemecide*, Boaventura de Sousa Santos writes the preamble for the book by positioning two versions across opposing pages. On the left-hand pages, he presents a manifesto for *Buen Vivir*, for Good Living, purposefully challenging grandiose modernist manifestos. The manifesto presents the imagined voices of the social movements with which he has been working over the years. On the right-hand pages is a

[215] Kovach, " Introduction" in *Indigenous Methodologies*, pp. 9-22.

[216] One photograph which I particularly like, taken by Estes, depicts a line of stern looking police officers standing side by side in full riot gear with the caption: "Money protectors."

[217] Dorothy Christian and Rita Wong. *downstream: reimagining water.* Wilfried Laurier University Press. p. 75.

Minifesto for Intellectual-Activists, which represents his own response, highlighting the impossibility of writing at a time of such impossible radicalism.[218]

Finally, Brian Burkhart's book *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous studies* contains frequent interjections from Iktomi, the trickster spider, to provide commentary about philosophy as the book goes along. He explains that "a trickster like Iktomi can lead you to spin and wrap yourself in the same webs that he spins around himself… however, he can do this in such a way that he will show you how you wrapped this web around yourself in the first place. This creates the space for you to be able to see how to get out of the web of your own making."[219] While serious academic texts deploy language which is declarative and proclamatory, Iktomi shows that language is frivolous and nonproductive because it moves backward and in circles to create a space for liberation.[220]

While I am inspired by these books, I am still developing my own style of writing and listening. In a few parts of the dissertation, I experiment to try to embody similar practices. For instance, in the *Epilogue to Standing Rock*, the pseudo-chapter which proceeded this one, I tell the story of the events at Standing Rock with a writing voice I do not normally use, based on the storytelling modeled in the books above. Rather than be explicit in my argument, I tried to let the story be the philosophizing. However, dissertations need arguments which are by their

[218] Santos, *Epistemology of the South*.

[219]Brian Burkhart, *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous futures.* (East Lansing: Michigan State University Press), Xvii-xxiii.

[220] Ibid., xxiv

nature declarative and proclamatory. However, as I continue to develop as a scholar, I would like to work toward incorporating these types of practices more in my work.

Additionally, I have reproduced, and indeed struggled to reproduce, transcriptions of Indigenous interviews collected at Standing Rock in a way which certainly made me grapple with Said's question; "who writes?" For instance, in reproducing the words of Faith Spotted Eagle in the previous section, I left in the many "and so's" and other rhythmic patterns to the way she spoke. While listening, those "and so's" seemed to produce a kind of circular pattern of interconnectedness which contrasts to the more linear way that I write. In the next chapter I discuss another interview clip from Standing Rock, that of former Tribal historic preservation officer Tim Mentz. Rather than transcribe the video fully, I discuss my own struggles to convey what he was saying in writing.

1.6 Conclusion

Fanon suggests in *The Wretched of the Earth*, that decolonization sets about to change the order of the world; that it is "a program of complete disorder."[221] It is, he explains, the historical process of transformation; self-coherent only insofar as we can discern the history-making movements which give it form and substance. Movements like those at Standing Rock are challenging the present world order. Not just because they challenge settler colonial territoriality, but because they point toward a world order other than the resource extractive colonial arrangement which currently exists.

[221] Frantz Fanon, 1963. *The Wretched of the Earth*. Grove Press: p. 2.

I am left then with the question of how this dissertation brings about disorder or whether it contributes to bringing down the master's house, given that it must deploy academic tools like writing. I am afraid these are the limits of the dissertation. Discussing the possibility of decolonization within the academy, Walter Mignolo reflects that anything like 'decolonial studies' could never be decolonial. Instead, he argues that decoloniality must, by definition, function as a disrupter in the academy. For instance, he suggests that "if you apply for grants or fellowships to engage in decolonial praxis you should be sure that you will not get them."[222] Only then could you be assured to have disrupted the normal mechanisms of power. The irony is that if the dissertation passes, that is if the dissertation receives its approval via the process of defense, it has already failed to disrupt.[223] What the dissertation *can* do is draw attention to the ways in which the goals of environmental philosophy and the goals of the Water Protectors align and give an example of how to approach a criticism of the discipline drawing on the example of the Standing Rock and its allies.

In the coming chapter, I engage specifically with how environmental philosophy as an academic discipline has contributed to the process of Indigenous erasure by insufficiently heeding the importance of Indigenous-led movements for self-determination, like Standing Rock. I then draw on Indigenous authors, particularly the work of Brian Burkhart, to explore what a 'localized' environmental philosophy might look like; one which would be responsive to Indigenous environmental justice.

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[222] Walter Mignolo, 2018. *On Decoloniality: Concepts Analytics Praxis* (Durham: Duke University Press), p. 106.

[223] Snelgrove, Dhamoon & Corntassel have also pointed out that the rapid institutionalization of settler colonial studies, particularly how the journal *Settler Colonial Studies* which moved to Taylor & Francis within two years of its inception, may also be cause for skepticism about its efficacy as a disruptive meta-framework. ("Unsettling Incommensurabilities")

CHAPTER 2

ENVIRONMENTAL PHILOSOPHY AFTER STANDING ROCK

2.1 Introduction

#noDAPL marks the largest Indigenous uprising in North America in recent memory, certainly the largest since the American Indian Movement (AIM) of the 1960s and 1970s and one of the biggest sites of environmental protest in the last decade. Furthermore, it seems like the movement and the Water Protectors touch on a lot of themes ubiquitous in environmental philosophy and literature about the environment including; the value of water (both intrinsically and instrumentally), the connection people have to their environment at a micro and global scale (issues of neo-liberal politics), the threat of oil spills and the assertion of violence by big oil companies, the inability of state apparatuses to secure meaningful ecological evaluations of pipeline plans, and a general disregard for the ecological damage the construction, maintenance, and operation of such a pipeline.

The unifying chant, 'Mni Wiconi! Water is life!' seems, again, to parallel a reverence and respect for the environment developed early on in the discipline of Environmental Philosophy. The water protectors regularly pronounced the water (Mni Oyte- 'water nation') to be like kin[224] in a gesture seemingly aligned with phenomenological appeals to being *with* nature that appear in more recent works. However, the main environmental philosophy journals contain no articles about the water protectors or #noDAPL. In fact, as far as I have been able to discern, the event is not mentioned at all in these journals. This is not to say indigenous environmental

[224] Nick Estes, 2019. *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance*. (New York: Verso), pp. 8-9.

issues do not appear in these journals, and that indigenous environmental thought is absent. It is not. But DAPL specifically, despite being one of the most significant Indigenous-led movements in US history tied closely to themes of protecting the environment is absent. The absence of discussion about #noDAPL is telling, and in this chapter, I aim to analyze why and show how the absence speaks to broader issues in the discipline which have greatly slowed adaptation of Indigenous philosophizing about the environment. I show that analysis of DAPL reveals many degrees of violence under which traditional frameworks for environmental philosophy and ethics have operated and continue to operate.

In the first section, I survey the main journals in the field of environmental philosophy to discuss what does appear and what does not. Selected journals include *Ethics and the Environment, Environmental Philosophy, Environmental Ethics,* and *Environmental Values.* Then, I provide analysis drawing from writings by Indigenous people about #noDAPL and settler colonial theory to explore the absence of a discussion as a discussion in itself, unseen and happening implicitly. Its absence in major journals, therefore, is not surprising and is, in fact, consistent with broader issues of settler colonialism and Western universities as institutions of knowledge production.

With this aim in mind, I discuss the function of the university in settler societies--namely, how universities participate in the erasure of indigenous peoples' claim to their traditional territories in the second section. Drawing on Quijano, Mignolo, de Sousa Santos, and settler colonial theory, I argue that the modern Western research university functions within what Quijano calls the colonial matrix of power, that is, as an institution of the project of colonialism.

In the following third section, I narrow in to locate how this principle has operated in the much smaller field of environmental philosophy and ethics, turning toward analysis of the modernity/coloniality/decoloniality framework on early expressions of environmental philosophy as it emerged as a discipline from the broader field of philosophy. I draw on Brian Burkhart's book *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous futures* to explore the concepts of epistemic locality as a source of Indigenous ontology and identity. Contrasted with the 'delocalizing' process of the modernity/coloniality/decoloniality framework presented by Quijano, I try to show how the Indigenous movement of the water protectors worked to expose the colonial matrix of power. In particular, I draw on a short clip/interview with Tim Mentz, tribal historian and archeologist who demonstrates epistemic locality by connecting water, the land, and Lakota spiritual practices. While environmental philosophy has grown and changed much since the early days, I contend that the absence of a discussion of #noDAPL indicates that some degree of 'delocalizing' still occurs in environmental philosophy. I conclude with a call to action to reconcile environmental philosophy with the difficulties enumerated in this chapter.

The main argument in this chapter is based on fairly basic premises: the inclusion of #noDAPL seems unavoidable until you consider the ways in which #noDAPL disrupts the dominant narratives about the environment present in environmental philosophy journals. The absence of discussions of #noDAPL indicates still a lack of 'the particular,' that is a lack of 'locality' in environmental philosophy. Increasing attention towards Indigenous environmental philosophy is not met with increasing awareness of settler colonialism, and therefore does not always disrupt (and sometimes reifies) the colonial matrix of power. Whether wittingly or

unwittingly, environmental philosophy as a discipline has participated in the project of Indigenous erasure, and the striking absence of any discussion about #noDAPL is indicative of room for growth with regards to attention to settler colonialism.

2.2 The Absence of DAPL

In this section, I briefly touch on the ways in which environmental philosophy has participated in constructing universalizing (delocalizing) myths about the environment while exploring how 'nature' as a concept has functioned as a component of epistemological domination. Before that, I want to explore what I mean by the discipline of environmental philosophy. It is important to remember, straight away and always, that the environment and nature have never been absent from philosophy. In some cases, the environment is attended to explicitly. Plato, for instance, has Socrates proclaim (perhaps ironically) that nature has "nothing to teach him" in the *Phaedrus*[225] only to later have Socrates suggest that the "first prophetic utterances came from an oak tree."[226] In the *Critias,* Socrates laments the degradation and erosion of soil on the attic peninsula which he concludes to be the result of deforestation for timber to build ships.[227] In other instances, the absence of the environment from philosophic writings itself represents an environmental philosophy of absence. As Brian Burkhart explains, the seeming absence of environmental philosophy in the history of philosophy belies the underlying environmental ethic necessary for the genocide of Indigenous

[225] Plato, *Phaedrus,* 230d.

[226] Ibid., 275b.

[227] Plato, *Critias,* 110c-111e.

peoples.[228] Even attempts at delocalization by modern figures like Locke or Descartes are themselves revealing of a specific type of locality, namely, one in coordination with the colonial matrix of power. In other words, the environmental ethics of Locke is consistent with the localized expression of colonial domination in the same time period, with the emergence of the Atlantic commercial circuit. While apparently delocalized, slivers of a European locality slip through the cracks and reveal themselves.

Moreover, there have been philosophies advocated by women, people of color, Indigenous people and others which have throughout the history of philosophy proposed and lived an 'environmental ethic'. We can reasonably say, for instance, that ecofeminism is carrying on a legacy of environmental philosophy which starts well before the work of Aldo Leopold, John Muir, Baird Callicott, Holmes Rolston III, and even folks like Kant and Locke and which criticized them contemporaneously and continues through the present.[229] The kin-based, reciprocal attitudes of the Water Protectors draw back on many generations of Indigenous' practices.[230] Even Heraclitus' famous adage about not stepping in the same river twice borrows its own epistemological foundations from an ever changing nature.

Boaventura de Sousa Santos argues that there exists a non-Occidentalist West by which

[228] Brian Burkhart, *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous futures.* (East Lansing: Michigan State University Press), p. 3.

[229] It would be anachronistic to call some of these early thinkers ecofeminists and would erase the particular history of ecofeminism as a critique emerging in the 1970s and evolving away from essentialist positions toward intersectionality.

[230] Kim TallBear, 2019, "Badass Indigenous Women Caretake Relations: #Standingrock, #IdleNoMore, #BlackLivesMatter" in *Standing With Standing Rock: Voices from the #nodapl movement.* (Minneapolis: University of Minnesota Press), p. 13-18. And Nick Estes, 2019, "Traditional Leadership and the Oceti Sakowin: An Interview with Lewis Grassrope" in *Standing With Standing Rock: Voices from the #nodapl movement.* (Minneapolis: University of Minnesota Press), p. 24-36.

he means the existence of "a vast array of conceptions, theories, and arguments that, though produced in the West by recognized intellectual figures, were discarded, marginalized, or ignored because they did not fit the political objectives of capitalism and colonialism that act as a foundation for the construction of the uniqueness and superiority of Western modernity."[231] For instance, Princess Elizabeth of Bohemia famously exchanged correspondence with Rene Descartes on the mind-body problem, in which she often gets the better of him.[232] However, those letters, while acknowledged to exist, are not canonized in most introductory textbooks or syllabi which contend with Descartes. We can understand her exclusion by pointing out the importance of patriarchy and the primacy of abstract 'reason' over concrete 'bodies' to coloniality. Burkart explains how mind-body dualism predates Descartes in early Jesuit and Christian localized traditions.[233] The usefulness of Descartes for the colonial matrix of power, Quijano explains, is that he opens the door to "objectification of the body as nature."[234] That is, the body, more specifically non-European bodies, became objects of scientific scrutiny giving rise to the 'scientific' theorization of race and gender.[235] This and the civilizing mission of Christianity both work to construct the colonial difference. In other words, Descartes esteemed position within the canon can be explained by way of exploring how his philosophical system

[231]Boaventura de Sousa Santos, 2014. *Epistemologies of the South: Justice Against Epistemicide*. (New York: Routledge), p. 99. It is worth noting this is different from a 'subaltern West', which would not be recognized by intellectual figures.

[232] Margaret Athertone (ed.). Princess Elisabeth of Bohemia, 1643. "Selections from Her Correspondence with Descartes" in *Women in the Early Modern Period*. (Indianapolis: Hackett Publishing Company), pp. 11-20.

[233] Enrique Dussel, 2013. "Anti-Cartesian Meditations: On the Origin of the Philosophical Anti-Discourse of Modernity" *Human Architecture: Journal of the Sociology of Self-Knowledge* 11(1): p. 6

[234] Anibal Quijano, 2000. "Coloniality of Power, Eurocentrism, and Latin America" in *Nepantla: Views from South*, (1)3, (Durham: Duke University Press), p. 555.

[235] Quijano's critique here is one of many, many critiques of Descartes which explore how his thought helped make possible racial and feminist domination.

supports the colonial matrix of power.[236] Analyzed through the geo-politics of knowledge, the seeming discordance within Descartes and indeed all of Modernity between the theological and the secular is bridged. As Mignolo puts it, the struggle between secular and religious knowledge was a "family feud,"[237] since proponents of both were Christian, white, heterosexual, male, and stood to benefit from colonial domination. As de Sousa Santos puts it, the fight between science, philosophy, and religion is highly visible but it occurs "on this side of the line," and serves to render other knowledges on the other "side of the line" invisible.[238] Princess Elizabeth of Bohemia, who challenges Descartes on mind-body dualism on his own terms, and who was herself an unmarried woman, is afforded a supporting role only.[239]

Analogous to the non-Occidentalist West, there has been a non-colonial environmental philosophy all along, relegated often to the sidelines. Ecofeminists and the environmental justice movement have pushed back against the idea of a distinct 'Nature' separate from culture for longer than environmental philosophy as a discipline has existed, and have continued to do so from within and from outside of major journals in the field. Still, they constitute only a small, marginal part of the main environmental philosophy journals which continue to entertain questions of the value of the natural world independent of connections to logics of colonial, racial, class-based, and gender domination.

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[236] I am not able to explore this fully here. Critiques of Descartes, and Modernity in general (which include Descartes almost without exception) are common. For a more exhaustive analysis which is attentive to the impacts for environmental philosophy, see Brian Burkart's book *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous futures*.

[237] Walter Mignolo, 2011. *The Darker Side of Western Modernity: Global futures, decolonial options*. (London: Duke University Press), p. 9

[238] Santos, *Epistemologies of the South*, 119

[239] Atherton, 1643. "Princess Elisabeth of Bohemia," pp. 9-10.

In summary, there exists a counter-canon of environmental philosophy (a non-Occidentalist environmental philosophy), but for the purpose of this chapter, I mean to narrow the focus onto what is generally thought to be the discipline of environmental philosophy-- that is the discipline which draws its origins from American environmental attitudes like those of Leopold and Muir. My main concern in this dissertation is not to unpack the locality and presence of the colonial matrix of power in what is colloquially referred to as the discipline of environmental philosophy, or environmental ethics. It is only very recently that the field of environmental philosophy, environmental ethics, and even more recently environmental justice, have become part of the landscape of academic philosophy. Even then, environmental philosophy sits at the far fringe of the general discipline.

While the history of environmental philosophy in the aggregate constitutes a wide space for thought, in this dissertation I am to describe environmental philosophy in the disciplinary sense, that is the sense in which it interfaces with the institution of the university as a collection of discreet 'disciplines.' Linda Tuhiwai Smith, Eve Tuck, and K Wayne Yang, have written extensively about how "academic disciplines work to discipline language and thought as well as to institutionalize and legitimate knowledge."[240] With these considerations in mind, when I say 'environmental philosophy', I mean the academic discipline which off-shot from academic philosophy and emerged in the 1970s with the creation of the first of these journals, *Environmental Ethics.* Additionally, my analysis of the absence of discussions of #noDAPL and the relative infrequency of articles pertaining to settler colonialism or Indigenous

[240] Linda Tuhiwai Smith, Eve Tuck, and K. Wayne Yang, 2019. "Introduction" in *Indigenous and Decolonizing Studies in Education: Mapping the Long View* (New York: Routledge), p. 7

environmental issues more generally is focused solely on the main journals of the discipline of environmental philosophy. In the selection of journals, I tried to pick the major ones for the discipline of environmental philosophy, particularly with regards to its institutionality in the sense of Smith, Tuck, and Yang. Put another way, these journals would be among the first consulted for scholars of environmental philosophy and scholars in other areas looking to engage with the subject matter of environmental philosophy. Selected journals include *Environmental Ethics, Environmental Philosophy, Environmental Values* and *Ethics and the Environment.* I searched these journals based on a combination of keywords and some select in-text searches for articles which I thought would mention Dakota Access Pipeline. "Standing Rock," "#noDAPL," "DAPL," "Dakota Access Pipeline," and "Water Protectors" yielded zero results for all four journals.[241] Searches were limited to between 2016 and 2019, for the sake of limiting the scope and making the project manageable. Since the events of Dakota Access Pipeline occurred mostly in 2016, I do not anticipate articles prior to that year. Without getting into specific numbers, I can say that while Indigenous issues, including settler colonialism do occasionally and rarely appear, article length discussions of the events of Dakota Access Pipeline do not appear. The omission of the largest Indigenous-led environmental and anti-colonial movement in recent decades is telling about progress in this area. I contend that this absence *in the journals specifically* is the result of the long-standing institutional service which the Western university as a whole, and the discipline of philosophy, has played in the

[241] Searches performed using the philosophy documentation center, jstor, and internal search engines where possible. All searches were constrained to the years 2016-2019 and phrases were included in quote marks to remove singe-word hits. It may also be worth mentioning that similar phrases turn up several results in *American Indian Quarterly*, and neighbor-journals like *Environment & society.* I also searched for "settler colonialism" and "Indigenous" then used the find function (ctrl+f) to search for the same key phrases in related articles.

facilitation of epistemic erasure under settler colonialism.

Furthermore, while a variety of books have been published recently, many dealing directly with the Water Protectors and Standing Rock,[242] and the subject of settler colonialism and settler colonialism is popping up with increasing frequency on environmental philosophy conference programs,[243] representation of settler colonial issues has yet to strongly penetrate the journals of the field, as evidenced by a lack of publications about DAPL. That the thrust of environmental philosophy *as an institutional discipline*, that is in the context of peer-reviewed journals which 'lead' the field, still largely aligns with the broader institutional interests of the university in the production of colonial difference and epistemic violence. This is beginning to change, but there is still a way to go. This is why, while there have been movements of thought in environmental philosophy toward Indigenous issues, they too are relegated to the margins of this already maligned discipline. The main journals in the field which have only very slowly, and very recently, begun to move away from the early focus on romantic, depopulated notions of wilderness and accept that environmental philosophy has often been exclusionary and racist.

In the remainder of this chapter, I pose and try to answer, from a couple different angles, the question of why journals of environmental philosophy have been so slow to adapt Indigenous environmental issues, even slower to represent discussions of settler colonialism, and have produced no articles about Dakota Access Pipeline. I begin by first arguing that the modern Western university functions within the colonial matrix of power, that it serves a role in

[242] For instance, *Standing with Standing Rock: Voices from the #nodapl Movement*, edited by Estes and Dhillon and *Environmental Justice in a Moment of Danger* by Julie Sze, among others.

[243] The theme of the October 21-232017 IAEP conference in Memphis was Indigenous Environmental Ethics with Kyle Whyte as the keynote speaker.

epistemological and other types of colonial domination. Then, I narrow in on the aspects of environmental philosophy, particularly as an early discipline, which set the state to continue the project of the broader university by construing 'nature' as disentangled from other social issues.

2.3 The University as a Settler Institution

In the first chapter, I touched on how universities in particular and academia in general, have been institutions which function within colonial power schemas to produce white, European dominant epistemologies. This section elaborates on this point by drawing on decolonial literatures and settler colonial theory to explore how epistemic domination played a pivotal role in the project of settler colonialism.

Analysis of the university as a settler institution requires that we first unpack the planetary dimension of human history, which has been made invisible. Quijano and others in *the collective* modernity/coloniality/decoloniality, have described two related but independent macronarratives of Western civilization. The first, which we are most familiar with in philosophy, concerns the historiography of European enlightenment starting in Ancient Greece, proceeding through Rome, the enlightenment as articulated in German philosophy in the early nineteenth century. The second, is the emergence of the commercial Atlantic circuit in the sixteenth century-- the coloniality brought forward as capitalism expanded across the Atlantic and subsequently the world.[244] It was this second macronarrative which describes the moment in which modernity, coloniality, and capitalism, as we would recognize them today, came

[244] Walter Mignolo. 2017. "Interview – Walter Mignolo/Part2: Key Concepts," Interview by Alvina Hoffmann, *E-International Relations*, Jan 21 2017.

together. The crucial point which Quijano makes is this; the coloniality of power is constitutive of modernity, not derivative of it.[245] By this he means the modern/colonial world system emerges at the juncture between these macronarratives; or for Walter Mignolo, coloniality is the darker side of modernity. "Coloniality", he explains, "names the underlying logic of the foundation and unfolding of Western civilization from the Renaissance to today of which historical colonialisms have been a constitutive, although downplayed, dimension."[246]

In order to explore these macronarratives, Mignolo utilizes what Quijano calls the "colonial matrix of power."[247] Mignolo explains how the colonial matrix of power helps reveal the spatial nature of the geo-politics of knowledge, which was hidden below the historical configuration in salvation rhetorics. It is a common occurrence, Mignolo stresses, for Western scholarship to forgo space in its obsession with time.[248] In *The Darker Side of the Renaissance*, Mignolo traces both the temporal and spatial shifts in the creation of the colonial matrix of power. The colonization of history and memory begins with the celebration of alphabetic letters as a true account of history and an appropriate organization of knowledge. He writes; "people without letters were thought of as people without history, and oral narratives were looked at as incoherent and inconsistent."[249] Even calls to diversify reading lists or curriculums are often met by hostility by established academics who argue that such attempts at decolonization

[245] Walter Mignolo, 2002. "The Geopolitics of Knowledge and the Colonial Difference" *The South Atlantic Quarterly* 101(1), p. 81.

[246] Mignolo, *The Darker Side of Western Modernity*, 2.

[247] Quijano, 2000. "Coloniality of Power, Eurocentrism, and Latin America."

[248] Walter Mignolo, 1995. *Darker side of the Renaissance: Literacy, Territoriality, & Colonization*. Ann Arbor: The University of Michigan Press, p. *xv.*

[249] Mignolo, *The Darker Side of Western Modernity,* 3.

disfigure the justified domination of European intellectual history-- the first macronarrative.[250] Issues such as DAPL are fine to appear in *American Indian Quarterly* (where it does appear, often) but not in *Environmental Ethics*, for instance.

The first macronarrative is generally celebrated (progress, development, growth) while the second macronarrative exposes what is rendered invisible by the first (poverty, misery, inequality, injustices, corruption, commodification, and the dispensability of human life)[251], I'll return to how the first macronarrative masks or makes invisible the second macronarrative in the next section, with specific attention to environmental philosophy and DAPL. For now it is important to note that analysis of the emergence of coloniality/modernity as a consequence of the spread of Christian theology and the transplanting of Renaissance "uni-versity" [252] to the New World. Mignolo specifies that he, and his colleagues in *the collective*, are concerned with Europe since 1500 when it began colonial expansion and extraction.[253] For *the collective*, this is the beginning of cognitive domination, and ancillary myths about ancient societies like Greece and Rome cover up this important socio-historical demarcation.[254] Conceived in this way, the colonial matrix of power was formed not in ancient Greece or Rome, but with the Atlantic Commercial Circuit that situated Europe at the center of a global scheme of power for the whole planet.[255] Hence, analysis of power dynamics can shift from a temporal progress

[250] For an example, see Hannah Arendt's tirade against "soul courses" in her treatise *On Violence*.

[251] Mignolo, *Darker Side of Modernity*, Xviii.

[252] Mignolo, "Interview – Part 2: Key Concepts"

[253] Ibid.

[254] Mignolo makes a point to stress that Quijano's approach, coming from the social sciences, helped to conceptualize this distinction which had been largely impossible to see in the traditions of philosophy. (*The Geopolitics of Knowledge and the Colonial Difference*)

[255] Mignolo, "Interview."

narrative (in which Europe is the savior, either theologically with Christianity or in a secular sense with science[256]) toward analysis of spatial dimensions of power. In other words, the mythos that civilization emerged in Europe and spread (in the sense of salvation) to the rest of the world hides the geo-political dimensions of domination whereby Europe first and later America would, vis. The colonial matrix of power, came to dominate the globe.

The colonial matrix of power articulated by Quijano exposes how coloniality names (puts into attention, pulls up from below, announces) the underlying logic of Western civilization from the Renaissance until today to not be a totalitarian concept but rather one which points at a specific project of domination in four areas: 1) knowledge and subjectivity, 2) racism, gender and sexuality, 3) economic domination, and 4) authoritarian domination. Furthermore, Mignolo suggests a 5th area, 5) nature, which I discuss in the next section.[257]

Mignolo argues that decolonization ("thinking decolonially"[258]) is nothing more than the effort to unpack how these four structures of management and control (coloniality) underlie the rhetoric of modernity.[259] What counts as knowledge, authority, economically sound, and racial/gender constructions are all in service of the project of colonial control. One thing which might immediately jump out to politically minded or environmentalist scholars is the pairing of theologism and secularism as interchangeable components. Mignolo explains how proponents of both were primarily Christian, white, heterosexual (that is, they agreed on classifications of

[256] Mignolo, *The Darker Side of Western Modernity*, p. 8.

[257] Mignolo, "The Darker Side of Western Modernity" p. 10.

[258] Ibid.

[259] Ibid.

sexuality), and male.[260] The pairing of theology and secularism together also helps to interrupt the progress narrative of Western civilization/philosophy as a maneuver away from localized cultural struggles, like those of early Christians, towards more objective (delocalized) science.[261]

With regards to 'the university', Bahambra et al., explore in the introduction to *Decolonizing the University*, how the university has been strategically situated as a crucial institution in the global project of colonialism:

> Taking colonialism as a global project as the starting point, it becomes difficult to turn away from the Western university as a key site through which colonialism - and colonial knowledge in particular - is produced, consecrated, institutionalized and naturalized. It was in the university that colonial intellectuals developed theories of racism, popularized discourse that bolstered support for colonial endeavors and provided ethical and intellectual grounds for the dispossession, oppression and domination of colonized subjects. In the colonial metropolis, universities provided would-be colonial administrators with knowledge of the peoples they would rule over, as well as lessons in techniques of domination and exploitation. The foundation of European higher education institutions in colonized territories itself became an infrastructure of empire, an institution and actor through which the totalizing logic of domination could be extended; European forms of knowledge were spread, local indigenous knowledge suppressed, and native informants trained. In both colony and metropole, universities were founded and financed through the spoils of colonial plunder, enslavement and dispossession.[262]

This paragraph explores, briefly, examples of how the University has been an institutional locus for all four (or five) 'arms' of the colonial matrix of power. It is no accident that universities which would be far more recognizable to present students first begin to emerge in the 16th

[260] Mignolo, "The Darker Side of Western Modernity" p. 9.

[261] This narrative is mirrored in smaller versions throughout the 'story' of the West. For instance, insistence that the pre-Socratics were natural philosophers interested in objective truth beyond the oral mythology of the Homeric tradition mirrors the broader narrative of successive progress beyond oral and mythological traditions in philosophy writ large.

[262] Bhambra, Gurminder K., Dalia Gebrial and Kerem Nisancioglu eds. 2018. "Introduction: Decolonizing the University" in *Decolonizing the University*. (Pluto Press: London), p. 5.

century and complete their transformation by the 18th.[263] It is around this time that academic knowledge began to be organized in disciplines, which all share the same genealogical foundations in colonial philosophies.[264] Undergirding all these disciplines is the concept of all embracing universal science, universal philosophy, and Christian cosmology-- on the darker side, the colonial matrix of power. The university understood vis. the colonial matrix of power unseats Plato's academy as the first institution of higher knowledge and interrupts the rhetoric of salvation and progression developed to justify colonial expansion (i.e. the spread of knowledge/Christianity/philosophy), and instead exposes when knowledge became a geo-political tool of oppression. In other words, there is a functional break between the university pre- and post- the emergence of the Atlantic Commercial Circuit, with regards to colonialism. Universities, after 1500, became institutions within the colonial matrix of power.

Universities also engage in the production and maintenance of a geo-politics of knowledge which silences, exploits, and disavows non-European knowledges and ways of living/thinking.[265] In *Epistemologies of the South: Justice against epistemicide*, Boaventura de Sousa Santos explains how modern Western thinking is 'abyssal thinking.' Abyssal thinking produces a system of visible and invisible distinctions, with "the invisible ones being the foundation of the visible ones."[266] There is, he contends, an abyssal line. On 'this side of the

[263] Moreover, the number of universities located in continental Europe grew exponentially. Between 1500 and 1625 alone universities doubled. Paul F Grendler, "The Universities of the Renaissance and Reformation" *Renaissance Quarterly* p. 57.

[264] Linda Tuhiwai Smith, 2012. *Decolonizing Methodologies: Research and Indigenous Peoples.* (Dunedin: Otago University Press), p. 68.

[265] Mignolo, "Interview," p. 5.

[266] Santos, "Epistemologies of the South," p. 118.

line' there exists Western science, philosophy, and theology-- the foundations of the Modern Western university. On 'the other side of the line' reality vanishes and is replaced by non-existence and is produced as non-existent. He writes: "On the other side of the line, there is no real knowledge; there are beliefs, opinions, institutions, and subjective understandings, which, at the most, may become objects or raw materials for scientific inquiry."[267] It is on the other side of the line where "popular, lay, plebeian, peasant, or indigenous knowledges"[268] are rendered invisible, where they non-exist. Such knowledges are incomprehensible and incommensurable with meeting the required rigor for scientific truth or its counterparts, philosophy and religion.

As regards to epistemic domination, academic journals have long been institutional barriers protecting classism, racist divisions, patriarchal hierarchies, helping to produce the abyssal line. In the first instance, academic journals privilege the written word, particularly in one of the accepted European languages. The style of writing acceptable in academic journals does not lend itself to narratives of storytelling,[269] not because non-narrative writing is more rigorous but because narrative writing and oral storytelling disrupt the narrative of colonial difference with the fact of colonial difference by (re)establishing subjective and intersubjective relationships.[270] As Burkhart argues, the coloniality of power functions to transform Indigenous subjectivity and intersubjectivity by replacing, with force if necessary, "the existing culture and

[267] Santos, "Epistemologies of the South," p. 120.

[268] Ibid., p. 119.

[269] Madeline Whetung and Sarah Wakefield, 2019. "Colonial Conventions: Institutionalized Research Relationships and Decolonizing Research Ethics" in *Indigenous and Decolonizing Studies in Education: Mapping the Long View* (eds.) Linda Tuhiwai Smith, Eve Tuck, K. Wayne Yang. (New York: Routledge).

[270] Burkhart, *Indigenizing Philosophy through the Land*, p. 6.

knowledge system with the culture and knowledge system of the dominant culture in whatever manner is best suited for its continued reproduction."[271] In other words, the format of knowledge production and archival in settler colonial societies will crush the possibilities for Indigenous subjectivity and intersubjectivity. For this reason, Indigenous scholars often deploy alternative writing methodologies which challenge the reproduction of the dominant knowledge system in the form of writing, such as those I described in chapter 1.

The settler colonial situation is slightly different, but universities in settler states still function within the colonial matrix of power. The main difference is that settler states seek to eradicate and/or render complete invisible antecedent knowledge of the land. As Patrick Wolfe asserts, the institutional function of Indigenous people in a settler society is to disappear,[272] and the university is a site wherein erasure occurs.[273] Disappearance can be produced by physical genocide, but also by cultural assimilation, or what Mignolo and others call 'cognitive domination.' Cognitive domination represents the rejection of non-European (scientific) ways of being, relating to, and knowing the world.

An important component in the conquest of the world was a shift in positionality away from the land toward abstract histories and time (meaning history of Europe). This shift is particularly present in settler colonial societies which need to re-create connections to a territory gained by genocide and dispossession. In his recent book, *Indigenizing Philosophy through the Land: A trickster methodology for decolonizing environmental ethics and indigenous*

[271] Burkhart, *Indigenizing Philosophy through the Land*, p. 7.

[272] Patrick Wolfe, 2006. "Settler Colonialism and the Elimination of the Native" *Journal of Genocide Research* (8)4. Pp. 387-409.

[273] Linda Tuhiwai Smith, *Decolonizing Methodologies.*

studies, Burkhart argues that environmental philosophy is still structured around the coloniality of power similar to philosophy generally.[274] In the book, he argues that philosophy writ large and environmental philosophy have participated in a 'delocalizing' which replaces the fact of colonial difference with the narrative of colonial difference.[275] In contrast, Burkhart suggests epistemic locality as "being-from-the-land and knowing-from-the-land."[276] Mignolo echoes this sentiment, expressing that decolonialism is expressed by the following play on Descartes' *ego cogito*; "I am where I think."[277] In settler societies, cognitive domination necessitates not only the construction of epistemological colonial difference, as in the domination of Christian theology and secular philosophies and science, but also necessitates the material dispossession of land and locality. Time supersedes space as the locus of positionality, that is, a reconfiguration where time and history "float free from the land."[278] We see this expressed, for instance, in Hegel's assertion that the Americas were "a New World," which "has not completed its formation."[279] Burkhart calls this a 'delocalizing' force. He writes:

> To maintain the false locality of European coloniality in its attempt to obscure the Indigenous locality of the land, the narrative of colonial difference arises as a feature of the structure of coloniality. This narrative serves to create an Indigenous alterity that serves the European delocalized coloniality because it is not an alterity at all but rather a projection of difference from within the isolated (because delocalized) European locality. The narrative of colonial differences functions through and in service of delocality.[280]

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[274] Burkhart, *Indigenizing Philosophy through the Land*, p. 4.

[275] Ibid., p. xviii.

[276] Ibid., p. xiv.

[277] Mignolo, *The Darker Side of Western Modernity*, p. xvi.

[278] Burkart, *Indigenizing Philosophy through the Land,* p. 21.

[279] Dussel, 1993, "Eurocentrism and Modernity (Introduction to the Frankfurt Lectures)." *Boundary 2,* (20)3, p. 66, 69.

[280] Burkhart, *Indigenizing Philosophy through the Land*, p. xviii.

It is in the service of delocality, of the projection of the narrative of colonial difference, that the narrative of the enlightened Indian[281] was extended to the Water Protectors. This is how conversations about environmental stewardship masked the anti-settler-colonial and anti-capitalist components of the movement.[282] By contrast, the epistemic locality, that is the legitimizing ties to the land formed by Indigenous cultural practices disrupted by the deconstruction of the pipeline, is rendered invisible.

To briefly sum up, the Western university is a product of coloniality/decoloniality, that is, it emerges and plays a role in the geo-political domination of the world beginning with the Atlantic Commercial Circuit birthed in the early 16th century. The colonial matrix of power is a tool of analysis developed by Quijano and expanded by Mignolo, Burkhart and others to expose what is rendered invisible by coloniality-- namely, the reconfiguration of history into a temporal narrative. Analysis via the colonial matrix of power opens up the possibility for retrieving the spatial aspects of the modern world-system; of power in a postcolonial world. Academic disciplines, as institutions within the Western project of colonialism, produce and are structured to continually re-produce a geo-politics of knowledge which privileges European histories and ways of knowing while constructing a necessary alterity in the narrative of colonial difference. In so doing, the fact of colonial difference, that is "the limit of Western philosophy where the colonial difference emerges, making visible the variety of local histories that Western

[281] Kyle Whyte, 2018, "White Allies, Let's Be Honest About Decolonization" *YES! Magazine*, the decolonize special issue. Accessed March 17, 2019. <https://www.yesmagazine.org/issues/decolonize/white-allies-lets-be-honest-about-decolonization-20180403>

[282] Kyle Whyte, "White Allies"

thought, from the right to the left, hid and suppressed"[283] by the cataloging of acceptable knowledge, for instance, in the construction of academic disciplines, including and in many ways led by the discipline of philosophy. In the next section, I discuss how delocality played a role in the foundations of environmental ethics as its own offshoot discipline from the broader discipline of philosophy.

2.4 The Delocalizing Foundations of Environmental Philosophy

Philosophers, in general, have often dismissed non-European (white) philosophy in a similar manner. For instance, Deleuze gives a general account of the history of philosophy in the Western academy as playing a "repressor's role."[284] Peter Park has done good work to show how a variety of the figures representing main pillars of the philosophical canon, such as Hume, Hobbes, and Descartes, were racist in their personal lives.[285] Philosophy remains one of the least diverse fields in all of the humanities in terms of gender, race, and ethnicity. Moreover, philosophy has a reputation as being an often hostile climate for women and minorities.[286] Philosophy departments are very white and very male, worse, in fact, than most of the sciences.[287]

Part of the reason for environmental philosophy's marginalized position within the

[283] Mignolo, 2002, p. 64.

[284] Deleuze and Parnet, 1987. *Dialogues*. Trans. By Barbera Habberjam Hugh Tomlison. London: Althone Press, 13

[285] Peter Park, 2013. *Africa, Asia, and the History of Philosophy: Racism in the Formation of the Philosophical Canon, 1780-1830.* (Albany: University of New York Press).

[286] Amy Ferrer, 2012. 'What Can We Do About Diversity?' *Leiter Reports: A Philosophy Blog.* http://leiterreports.typepad.com/blog/2012/12/what-can-we-do-aboutdiversity.html, 4 December 2012.

[287] Rebecca Schuman, 2014. "Nasty and Brutish: A scandal in Colorado reveals that bullying bros still plague university philosophy departments." Slate.com, Feb. 03, 2014. https://slate.com/human-interest/2014/02/sexual-harassment-in-philosophy-departments-university-of-colorado-boulder-scandal.html

broader discipline is that Western philosophy often seeks the highest level of abstraction and universality possible, and environmental philosophy must accept at least the existence of some nebulous, but physical, 'environment.' While it is true that environmental ethics is fundamentally in conflict with many traditional assumptions in the history of philosophy about nature and the natural world, early environmental ethicists laboured to show that it was still philosophical.[288] By working to establish objective value in nature, environmental ethics sought to provide justification for the protection and preservation of the natural world. The challenge for early practitioners of environmental ethics was to overcome the logical positivists; scientists carrying on the Modern tradition of rejecting ethical or value-based statements about nature.[289] Hence, early environmental ethics attempted to establish the existence of an intrinsic value to nature and natural things, independent of human judgement.[290] Once established, the goal was to develop an 'environmental ethic' which would compel a respect for, and subsequently the preservation of, nature.[291]

It's worth noting that the emergence of environmental philosophy as a discipline coincides with increasing interest in preservation style environmentalism by white Americans.[292] For instance, the discipline of environmental philosophy begins approximately

[288] Eugene C. Hargrove, 1989. *Foundations of Environmental Ethics*. (Denton: Environmental Ethics Books), 43.

[289] J. Baird Callicott, 2013. *Thinking Like a Planet: The Land Ethic and the Earth Ethic*. (New York: Oxford University Press), pp. 106-7.

[290] Rolston III *Environmental Ethics*

[291] Aldo Leopold, 1949. *A Sand County Almanac: And Sketches Here and There*. (New York: Oxford University Press).

[292] Pena and Mondragon-Valdez 1998; Taylor 2002; Rechtshaffen, Gauna, and O'Neill 2009; Sander and Pezzulo 2007. The Environmental Justice movement, if we understand it to begin in 1987 with the United Church of Christ's Commission for Racial Justice exposure of the racialized nature of toxic waste hazardous sites, provides a foil for early white Environmentalism-- a rift which to some extent still exists. More on this in the next chapter.

synchronously with the creation of Earth Day, the publication of Rachel Carson's *Silent Spring*, David Brower's *Wilderness: America's Living Heritage,* and the renewed interest in Aldo Leopold's "land ethic,"[293] all of which spoke romantically of a universalized pristine nature worth saving. In this context, whiteness, or the white savior, was still needed to protect the environment.[294] Correspondingly, Wald et al., discuss how people of color, particularly within Latinx cultures, are often environmental—that is they embody 'environmentalisms' --but reject the title of environmentalist because it is associated with white imperial and colonial legacies.[295] This phenomenon can also be seen when narratives of DAPL and, more broadly, narratives about Indigenous 'environmental ethics' often serve to re-center 'preservation' which primitivizing Indigenous peoples, associating them with the preservation of wilderness and obscuring land-based knowledge practices.

The field of environmental philosophy's early focus on pristine wilderness buys into the pristine myth about the Americas-- that it was ever wilderness devoid of meaningful human social construction and tries to provide a delocalized ethical standard. In-so-doing, localized environmental relationships must all be discarded in favor of this new, universalized standard, or, in Burkhart's language, delocalized version of environmentalism.[296] Focusing on Leopold, an important figure in the discipline of environmental philosophy, the "land ethic" offers a response to the purely Lockean approach to nature inherited from modernity/coloniality.

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[293] David Keller, 2010. "Introduction" from *Environmental Ethics: The big questions*, ed. David Keller, p. 6-10.

[294] Laura Westra and Bill E. Lawson, eds. 2001. *Faces of Environmental Racism: Confronting Issues of Global Justice.* (Lanham: Rowman & Littlefield Publishers, Inc).

[295] *Latinx Environmentalism: Place, Justice and the Decolonial,* p.3.

[296] Burkhart, *Indigenizing Philosophy Through the Land*, pp. 48-9.

However, the response he offers lingers within the first macronarrative of Europe, the narrative of colonial difference and hides the fact of colonial difference. Leopold argues for an expansion in ethics (something he says has occurred before) to include "soils, waters, plants, and animals, or collectively: the land."[297] His expansionist ethics suggests that humans broaden the horizons of the ethical community, that is, the community which warrants ethical considerations, to include the biotic community.

There is, perhaps, no better example of how early environmental philosophy participated in Indigenous erasure through delocality than Baird Callicott's book *Earth's Insights*. In the book, Callicott argues that the "land ethic" of Leopold can function as a sort of 'Rosetta Stone,' translating (in effect, universalizing/delocalizing) the various environmental attitudes of different cultures around the globe.[298] This kind of argument is indicative of early moves in the discipline environmental philosophy to 1) suggest a course-correction in the broad cannon of environmental philosophy starting in Ancient Greece, and 2) position changing white attitudes about environmentalism as leading the way for the development of a universal moral principle or value system for nature.[299] The book at best wildly misinterprets Indigenous attitudes and relationships about the environment and at worst suggests a type of neo-colonialism whereby those same Indigenous relationships should be subsumed into Leopoldian land ethics. Kyle Whyte concludes of the book that while Callicott likely "has good intentions, environmentalists who take his points too seriously will have a hard time avoiding procedural

[297] Leopold, *Sand County Almanac,* p. 204.

[298] J. Baird Callicott, 1994. *Earth's Insights: a survey of ecological ethics from the Mediterranean basin to the Australian outback* (Berkeley: University of California Press).

[299] Callicott, *Earth's Insights,* p. 188

injustices against Indigenous North Americans."[300]

Mignolo argues that 'nature' could be flagged as a fifth domain of the colonial matrix of power, rather than part of the economic domain.[301] That is to say nature functions as a fifth sphere in the struggle for control over resources in the modern world-system, produced by the colonial encounter. The transformation of nature into something of only instrumental, that is economic, value begins with colonialism when 'nature' came to refer to 'natural resources,' to supply the machinations of industry. "Environmental catastrophe started in this moment," Mignolo writes.[302] In the West, reconstituting nature in terms of natural resources signified progress, while simultaneously fulfilling the economic goals of empire. At the same time, other civilizations where deemed stagnant who had failed to control nature mechanically.[303] Additionally 'nature' as in the natural essence of a thing or being was also deployed to subjugate women, people of color, and Indigenous people. Relatedly, the ascription of intrinsic value to human beings dodged Indigenous Americans, for instance in Locke, Hobbes, Kant, and Muir who all commented on the barbarity or animal-like nature of the American Indian.[304] For them, Indigenous people were not really human and so fell on the 'nature' side of the constructed nature/culture divide-- another narrative of colonial difference.

Leopold's reliance on the narrative of moral progress conceals Indigenous North American locality. It is telling, for instance, that we know much of the prose in *A Sand County*

[300] Whyte, "How Similar Are Indigenous North American and Leopoldian Environmental Ethics?", p. 15

[301] Mignolo, *The Darker Side of Western Modernity,* p. 10

[302] Ibid., p. 12

[303] Ibid., p. 13. Also see Kristen Foehner, Sam Scinta, and Barbara Deloria. 1999. *Spirit and Reason: The Vine Deloria, Jr., Reader.* Kristen Foehner, Sam Scinta, and Barbara Deloria. (Golden: Fulcrum), p. 41

[304] The Native-as-animal aspect of the narrative of colonial difference is expanded on in Burkart's book: p. 183-4

Almanac was written by Leopold while he was vacationing with his family in their remote cabin. Despite this, Kyle Whyte highlights that the importance of family and kin does not take center attention in his writings, even though he purports a familial expansion of ethics to include the biotic community.[305] The stories and experiences shared with his family while restoring the cabin are absent. Likewise, absent is any lengthy reflection of the heritage of the cabin and the Indigenous peoples of the region both in history and at the time of his writing.[306]

Leopold's history conceals the colonial matrix of power (and his own locality) in narratives of expanding moral considerability emanating from the placeless, universal history of civilization (which stemmed from Europe, enunciated by white males). Like with the broader environmental movement which generated interest in the first place, European (white) ethics became the standard against which all other ways of life are either invalidated or seen as lagging behind. However, as Kyle Whyte notes, for "many Indigenous people the colonialisms of the last 500 years have introduced ethics that are *less inclusive* of non-human entities and collectives,"[307] not more. Whyte suggests that many Indigenous perspectives would contend that "Leopold's narrative literally unfolds in the exact opposite direction of what Indigenous peoples see the narrative sequence of their own ethics" [308] to be. Whyte argues that Leopold's expanding ethics to include the biotic community would seem foreign to Indigenous people for whom community and ceremonial relationships across many human, plant, and other relatives

[305] Kyle Whyte, 2015. "How Similar Are Indigenous North American and Leopoldian Environmental Ethics," p. 8.

[306] Ibid., p. 9

[307] Ibid., p. 13

[308] Ibid., p. 13

was already constitutive of responsibilities.[309]

For instance, the kin-based structure and history of the Oceti Sakowin Confederacy which assembled to protect the water draws heavily from the local heritage and family relations including the crucial role of Indigenous women.[310] Indeed, the camp served to reacquaint Indigenous and non-indigenous youth with the structure and responsibilities that stem from relatives (Mitakuye Oyasin - "all my relations"*)*.[311] Speaking about the tribal flags flanking the road up to the resistance camp, Craig Howe and Tyler Young write: "These are not simply representing nations coming together to protect a common relative, but, in the case of the twenty-five modern Dakota, Nakota, and Lakota tribes, nations uniting in a manner that draws upon centuries of shared history."[312] Likewise, the significance both to the political structure of the camp and broader traditional Lakota governance is the fundamental unit of Lakota society; the tiyospaye.[313] Burkhart explains that Ti is short for tipi, which means dwelling, and Ospaye refers to the 'circle of circles' that is, the circle of tipis that form an encampment. "The full concept," he explains, "is then the grounded spiraling relationship that extends from one's own tipi and tipi family to all of one's extended relatives."[314] The Oceti Sakowin Camp consisted of many tiyospaye. The camp grew, as a spiral, out from a single locality, the call out by LaDonna Brave Bull Allard to come and protect the water. The water

[309] Whyte, 2015. "How Similar Are Indigenous North American," p. 9.

[310] Meretith Privott, 2019. "An Ethos of Responsibility and Indigenous Women Water Protectors in the #noDAPL Movement" *American Indian Quarterly* 43(1).

[311] Craig Howe and Tyler Young. 2019. "Mnisose" in *Standing with Standing Rock: Voices from the #noDAPL movement* (Eds.) Nick Estes and Jaskiran Dhillon. (Minneapolis: University of Minnesota Press), 60

[312] Ibid.

[313] Ibid., p. 64

[314] Burkhart, *Indigenizing Philosophy Through the Land,* p. 70

protectors bring to the forefront the colonial legacy of Western attitudes about the environment-- they bring it out from hiding.

Leopold is only one strand (albeit a very influential strand) of the discipline of environmental philosophy, but he is not alone. Much of early environmental ethics failed to recognize that the presumptive neutrality of value-free scientific observation was not an archaic error in judgement (has Gene Hargrove positions it[315]) but rather a necessary logic for the erasure of Indigenous peoples.[316] An alternative history is one which examines the epistemological construction of nature during Modernity not as 'value-free' science, but rather as a justification for colonial domination; part of the colonial matrix of power. Burkhart argues that the binary entanglements of intrinsic/instrumental value, anthropocentrism/nonanthropocentrism, and natural/unnatural--all staples of early environmental philosophy--are illusions created by delocalized thinking.[317] Indeed, early attempts by environmental philosophers to slot 'nature' into existing disciplinary models of ethics and science work to conceal localized subjectivity and intersubjectivity such as that of the Water Protectors. In the words of Mignolo, "[t]hus the question is not so much where do we 'file' nature as what are the issues that emerge from the analytic of the coloniality of nature and in decolonial thinking and doing on environmental issues."[318] In other words, a

[315] Hargrove, *Foundations of Environmental Ethics*, p. 41

[316] I have avoided saying the "domination of nature" here, a phrase which would be more familiar to early environmental ethicists because that too represents the erasure of the domination of people. For instance, ecofeminists have long argued that the domination of nature and the domination of women both emerge from a broader logic of domination predicated on dichotomistic and hierarchical thinking. It is this dichotomistic/hierarchical thinking which is the cause of domination-- and domination is the issue.

[317] Burkhart, *Indigenizing Philosophy through the Land,* p. xxxii

[318] Mignolo, *The Darker Side of Western Modernity,* p. 10

decoloniality of nature will emerge at the conflux of modernity/coloniality and decolonial thinking/doing, and this is precisely the position of the Water Protectors whose kin-based connection to the land and their ancestors defies anthropocentric/nonathropocentric binaries.

More recently, environmental philosophy has moved away from romantic notions of a depopulized wilderness, and discussions about intrinsic vs instrumental value of nature are seen as old hat. Some recent works have begun to challenge the predominantly white history of ecological thinking, and the importance of place-based epistemic responsibilities for individuals.[319] However, much of the discussion remains delocalized. Further, despite increasing attention towards Indigenous peoples and climate change, discussions of #noDAPL remain only briefly mentioned or completely absent. While articles about environmental philosophy have, for the most part, moved on from questions intrinsic value and pristine romantic notions of nature, and Indigenous environmental philosophy has begun to appear, the relative absence of #noDAPL, the biggest Indigenous-led environmental movement in decades, signifies that aspects of settler colonialism are still not at the forefront of such discussions. Articles which do discuss Indigenous environmental issues often do so via an extractive logic, (i.e., what can we learn from Indigenous storytelling/relationships/etc.)[320] In other words, while the subject matter of environmental philosophy has changed somewhat, uncritical reliance on the philosophic cannon (including figures like Leopold) and extractive, delocalizing agendas remain.

As I suggested in the first chapter, increasing attention toward Indigenous

[319] For instance, Lorraine Code, 2020. "Thinking Ecologically, Knowing Responsibly" *Environmental Philosophy* 17(1): 19-37. There are many others.

[320] Note that this also threatens the settler move of "playing Indian" discussed by Tuck and Yang, p. 8 of "Decolonization is not a Metaphor" whereby the 'enlightened' White 'inheritors' of the land carry on the disappearing or disappeared legacy of Indigenous land-based relationships.

environmental philosophy without contending heavily and critically with settler colonialism risks extractive logics whereby scholars look to Indigenous attitudes about the environment to stave off impending catastrophe without critical engagement with the past and present via the colonial matrix of power. I think this is part of why the Water Protectors are absent-- it is difficult to extract (delocalize) Dakota Access Pipeline from the specific settler colonial entanglements that facilitated the movement and the land and kin-based relationships that form its political structure.

Indeed, the Water Protectors ask questions which an environmental philosophy unwilling or unable to confront colonialism is ill-equipped to answer because the questions are grounded in a land-based history-- they are grounded in locality. The Water Protectors and DAPL do not find an easy home in journals of environmental philosophy in part because the movement springs from and spirals out of locality, and therefore resists abstraction and cataloging within the parameters of the geo-politics of knowledge.

Locality, in the sense of Burkhart, is not only political situatedness but also kin-based relationality in the immediate vicinity. Burkhart gives the example of David Swallow Jr., a Lakota wisdom-keeper, who explains that mitakuye oyasin (all my relatives) stems and spirals out from one's immediate positionality. Swallow says, "Mitakuye oyasin is the whole wide world. We are all connected. Vertically and horizontally, we are all connected. I am related to the tree here, the sun, the sky, all human beings and to the earth *right here*."[321] At a glance, this appears to suggest a delocalized universal interconnectedness, but Burkhart explains that Swallows

[321] Burkhart, *Indigenizing Philosophy through the Land*, p. 69, emphasis added.

description involves the very particular tree that is next to him, which he points to. His description of the sky and the sun are accompanied by similar gestures, with his hand finally resting point directly into the dirt in front of him. This is no accident, Burkhart argues that his description reveals critically how locality spirals out from the roots in front of you, just like the roots of the tree next to Swallow.

To illustrate this point, I provide the following example, which demonstrates how the Dakota Access Pipeline event speaks directly from locality, in the sense of Burkhart, and challenges the delocalized conception of land and territory of settler colonialism:

On Sep 6, 2016, Tim Mentz, a former Tribal historic preservation officer, recorded a video standing next to the DAPL bulldozed corridor titled "Tim Mentz: UPDATED".[322] In the video, he explains that the EPA's assessment of cultural and archeological significance missed much of what is sacred about the Black Hills.[323] In the first half of the video, Mentz orients the viewer in several ways. First, he gives the cardinal directions, pointing behind him to the East towards Farm to Market Road 1806 and stating that he is facing West toward "the David Myer's property" where the trench starts. He explains that the corridor is 150 feet across, and that he and his company were never allowed to get inside the space which the corridor would occupy but that they had been able to record from "outside looking in." The corridor destroyed, he explains, 82 features and 27 graves which were identified in the area.

[322]KOLC-TV. Sep 17, 2016. "Tim Mentz: UPDATED." YouTube (9:26 mins). https://www.youtube.com/watch?v=w6NapCXUjU0

[323] He explains that the foot-deep trench which had been hastily dug that morning crossed over sites which he and his team had filed the previous Friday in U.S. District Court as part of the Standing Rock Sioux Tribe's preliminary junction suit. It's likely that DAPL acted hastily before the court had a chance to review the documents Mentz and his team had provided.

Then, Mentz orients the viewer with Lakotayapi language and customs. I cannot fully reproduce what Tim Mentz says in this video in writing, in no small part because I do not fully understand it. Not only do I not know the Lakotayapi words he uses (which do not appear in my delocalized Lakotayapi dictionary, or if they do, they are written so differently than they are phonetically produced that I could not find them), but also, I have no relationship, no kinship with that land. Even if I could transcribe it onto the page, I do not think it would be accurate. I felt, while attempting to transcribe this video for my own notes, that the very act of writing was delocalizing what he was saying. That is, I felt that I was converting what he was saying into nonsense which I could no longer grasp without the context in which he was speaking, without the literal geography which he gestures toward and addresses. In the video, everything he says feels very connected. In my attempts at transcriptions, it did not. For the full effect, I feel it necessary to hear him, see him gesture, and witness the hills while he describes the wrongdoing that has occurred to the area he stands in. The video can be found here: https://www.youtube.com/watch?v=w6NapCXUjU0, or by searching for "Tim Mentz: UPDATED" on YouTube. His selection of words and manner of speaking embody a locality-based understanding of the land upon which he stands, grounded in Lakota tradition (his people's 'walk of life'). What follows is an analysis, rather than a summary, of some of what he said--although it too is surely a translation and imperfect.

This contestation over archeology demonstrates a delocalized epistemic structure and a localized epistemic coming into contact. The sites to which Mentz refers are intelligible only to people who are being-from-the-land and knowing-from-the-land. The archeology firm, he

explains, “doesn’t see these. They walk right over these.”[324] This is because the archeologists are operating under delocalized assumptions about what artifacts and cultural sites are (possessing some universal characteristics). To borrow a phrase from Nicholas Rescher’s work on ignorance, the sites are “cognitively inaccessible.”[325]

What the Tim Mentz example shows is both how locality emerges in ceremony directly from the land and how that creates a legacy of relationality to the Black Hills, in particular how every site is culturally linked to water, Mni Wiconi. The ceremonial sites destroyed in the DAPL corridor are reflections of the contours of the land, that is significant sites where Mni Oyote (the water nation) “places itself on the earth.”[326] It is these places where Lakota ancestors made pledges and sought vision quests to ascend to the seventh level of leadership (that of the seven council fires). The land does not have significance bestowed on it by ancient ceremony, rather the ceremony arises from the actual land upon which it occurs.

The key here is to notice how the responsibilities both personal and political stem directly from the land. In that sense, #noDAPL, too, is a resistance which is born of the land through people of the land. Burkhart explains in an anecdote that when returning to the reservation he grew up on with his Native Studies colleagues, one was prompted to ask, “who told you to do that?”[327] when he engaged in activities needed to take care of his relationship to the land. Burkhart explains that his colleagues’ mistake was to maneuver knowledge away from

[324] KOLC-TV. “Tim Mentz: UPDATED”

[325] Rescher, Nicholas 2009. Ignorance: On the wider implications of deficient knowledge. (Pittsburgh, PA: University of Pittsburgh Press), pp. 100-101.

[326] KOLC-TV. “Tim Mentz: UPDATED”

[327] Burkhart, *Indigenizing Philosophy through the Land,* p. 68.

universal truth toward a poststructural (hermeneutical) understanding whereby knowledge is situated in human communities and human conventions. Both the objective universal truth of modernity and the hermeneutical poststructural (or postmodern) truth(s) are without epistemic locality. They both 'float free' from the land.[328]

Mentz ends by explaining that the archeologists simply do not know the land, for it is not theirs, and therefore should let Indigenous people archive their significance. For the EPA to acknowledge Tim Mentz' team, the EPA, the justice department, and other settler state apparatuses would have to accept that the value-free assessment it performs are both a) groundless and delocalized, and b) revealing of an antecedent relationship to the land than that of the United States. This is why Mentz ends the video by suggesting that the destruction of these sites is intentional, a necessary violence, not haphazard accidents. The legal suit, of which Mentz and his company were a part, were one of many legal challenges which the Standing Rock Sioux Tribe filed against the state, federal government, and Energy Transfer Partners. However, the legal status of the pipeline is itself representative of De Sousa Santos' abyssal line codified in law.[329] On this side of the line sits the comfortable dichotomy between the legal and the illegal,[330] but this distinction leaves out the whole social territory where the dichotomy becomes unthinkable, that is the territory of the lawless; the a-legal, the non-legal. In this case, the long-standing disputed territory of the 1868 Fort Laramie treaty territory, or, in the words

[328] Burkhart, *Indigenizing Philosophy through the Land,* p. 68.

[329] For Mignolo and Quijano it manifests through the colonial matrix of power.

[330] De Sousa Santos discusses the abyssal line in regards to law on pages 120-1 in *Epistemologies of the South.*

of Mentz, 'our land,' becomes a place of lawlessness.[331] Land upon and with which pledges (non-law) were made. Hence, swift violence is used to silence, suppress, and erase the a-legal or the non-legal history of the territory.[332] The DAPL team had to act fast and crush the legal proceedings before the legal apparatus would be forced to pull back the curtain and reveal the other side of the line-- settler colonialism. The violence is used in the interests of maintaining the invisibility of the other side of the line.

To conclude, I do not mean to position delocality and locality as dichotomistic opposing world-views, rather to show how delocality is the hegemonic (or dominant) operational procedure for the university, philosophy, and environmental philosophy journals and that is part of why it is difficult to write (which is itself abstracting and delocalizing) about Indigenous environmental issues without first dealing with delocality as a function of settler colonialism (which, even then is undertheorized/underdiscussed). Bearing all of this in mind, I propose that the omission of #noDAPL from environmental philosophy journals serves a broader function in the structure of settler colonialism. Namely, the rejection of Indigenous knowledges, histories, and practices in universities is part of the epistemological domination of settler colonialism predicated on erasure and replacement. Whether intentional in the classic sense or not, the relative scarcity of Indigenous environmental thought and the complete absence of any discussion about the settler-colonial struggle over the Dakota Access Pipeline from the major journals of environmental philosophy is evidence of the ease with which environmental

[331] In the next chapter, I explore how labeling Water Protectors as an insurgency ground and deploying counter-terrorism tactics fit into the broader picture of settler colonial violence.

[332] Again, these terms borrowed from Boaventura de Sousa Santos, p 120-1.

philosophy can be complicit in the project of settler colonial erasure. This leaves environmental philosophers with some degree of obligation; to confront what colonial legacy remains in the discipline and to transform it into a space which is not only able to speak (without contradiction) to issues such as #noDAPL but which continually reveals the ways in which environmental devastation is linked to the dispossession and erasure of Indigenous peoples.

2.5 Conclusion

I cannot prove, in the traditional sense, that the absence of #noDAPL is driven by the hegemony of settler colonialism. However, as I have tried to show, the fact that settler colonialism is predicated on the disappearance and erasure of Indigenous people means that its absence is not arbitrary; the absence itself plays into a logic of elimination and genocide. Furthermore, by centering 'the environment' as an epistemic frontier, environmental philosophy occludes the colonial context which also facilitates a disingenuous environmental historiography. I argue in the next chapter that centering the colonial context and Indigenous resurgence ought to be considered key goals for environmental philosophers moving forward.

Additionally, I do not mean to suggest that inclusion of issues like #noDAPL or settler colonialism in environmental philosophy journals would absolve philosophers of complicity in erasure. It would help, but a serious transformation of what constitutes philosophical work may be needed for environmental philosophy to grapple seriously with the ongoing production of colonial violence through 'nature' as a domain of colonial power. Such a transformation thinks differently about the purpose of journals in the field. For instance, a more engaged environmental philosophy which situates itself in solidarity with the Water Protectors would be better.

In the next chapter, I investigate some models for situating environmental philosophy within the context of work coming out of environmental justice. Searching for Standing Rock yields a much more interdisciplinary and, in fact, trans-disciplinary list of results which I suggest broadly fall under the label 'environmental justice.' In contrast to environmental philosophy, Standing Rock instantly became a foundational case and many authors center it in works about environmental justice.[333] It is difficult to make a direct comparison between the absence of Standing Rock in environmental philosophy journals and its abundance in environmental justice literature. This is because environmental justice is much broader than an academic field, including activists, behavioral sciences, geography, journalists, artists, poets, novelists, and so on. In all these spheres, Standing Rock is comparatively ubiquitous. Again, the comparison is not *fair* in the sense that my scope for environmental justice was much wider. This does not mean the principles of environmental justice do not have something to offer environmental philosophy. Moreover, the high frequency of Standing Rock in this context does suggest that environmental philosophy is really missing something important here.

[333] Julie Sze, Nick Estes, Dina Gilo-whitaker, Julian Brave Noisecat and Anne Spice, Bobbi Jean Three Legs, Kyle Whyte, Jaskiran Dhillon, Harsha Walia, have all written or edited full books wherein Standing Rock is the primary focus.

CHAPTER 3

ENVIRONMENTAL JUSTICE, INDIGENOUS RESURGENCE, AND THE PATH FORWARD

3.1 Introduction

In the last chapter, I showed how environmental philosophy often centers "the environment/Nature" in a way which occludes locality and produces erasure, disconnecting environmentalism from colonialism. In this chapter, I draw on discourse recently emerging about Indigenous environmental justice and decolonial theory to demonstrate a model for taking settler colonialism as an environmental issue. I apply principles of Indigenous environmental justice scholarship to show how it effectively disrupts settler colonialism and offers a model for environmental philosophy which reveals and challenges coloniality. In short, what can be learned from environmental justice is that centering Indigenous worldviews and self-determination is key to disrupting settler colonialism and preventing ecological devastation. For environmental philosophers, this framework can help to reconceptualize 'the environment' beyond settler colonial structures of power. The basic argument of this chapter is that Indigenous resurgence should be a core goal of environmental philosophy.

I begin with a review of what has been learned from environmental justice and Indigenous environmental justice as a starting point for these frameworks. From here, I give some examples of traditional connections to land, buffalo for Oceti Sakowin and Salmon for Pacific Northwestern fishing tribes, Next, I explore how Indigenous nations are central protagonists in the refutation of colonialism, violence, racism, sexism, capitalism, and planetary ruin to show how Indigenous resurgence can be seen as a core project of environmentalism.

3.2 Defining Indigenous Environmental Justice

In this section, I attend to the history of academic environmental justice literature, to trace its development from early conceptualizations that fit within a settler-colonial framework toward an Indigenous conception of environmental justice which reveals settler colonialism itself as the foundation for environmental injustices.

While the facts of environmental injustice date back at least to the Atlantic Commercial Circuit, and likely much further, the phrase 'environmental justice' did not enter common usage until the 1980s.[334] In the early days, and still in federal policy,[335] 'environmental justice' refers to the inequitable distribution of environmental burdens and benefits.[336] The early movement demonstrated that race, not just socio-economic class, was an independent predictor of where hazardous wastes were located. Moreover, race was demonstrated to be a stronger predictor than education levels, median house-hold income, and other socio-economic indicators.[337] As such, environmental justice (EJ) movements diverged from white-dominated mainstream environmentalism[338] to include connections between environmental degradation and other systems of social oppression. However, the early focus on distributive models of justice relies on a neo-liberal, capitalist framework which has limited its efficacy for cases of Indigenous

[334] Dina Gilo-Whitaker, 2019. *As Long as Grass Grows: The Indigenous Fight for Environmental Justice, from Colonization to Standing Rock*. (Boston: Beacon Press), p. 15

[335] United States Environmental Protection Agency, 2019. "Environmental Justice," www.epa.gov/environmentaljustice

[336] David Pellow, 2018. *What is Critical Environmental Justice?* (Cambridge: Polity Press), p. 9

[337] Robert D. Bullard, Paul Mohai, Robin Saha, and Beverly Wright, 2007. *Toxic wastes and race at twenty 1987-2007*. (Cleveland: United Church of Christ), p. 155

[338] Sarah D. Wald, David J. Vázquez, Priscilla Solis Ybarra, and Sarah Jaquette Ray (editors), 2019. *Latinx Environmentalisms: Place, Justice, and the Decolonial*. (Philadelphia: Temple University Press), pp. 2-3

environmental justice (IEJ).[339]

As Dina Gilio-Whitaker puts it:

> From an Indigenous standpoint, justice must transcend the distributive, capitalist model. Indigenous modes of justice typically reflect a restorative orientation. A decolonized American justice system would also necessarily encompass both the colonized and the colonizer. In essence, justice for Indigenous peoples is about restoring balance in relationships that are out of balance.[340]

Bill Clinton's 1994 executive order on Environmental Justice operates under that same distributive model, requiring federal agencies to make EJ considerations part of their normal operating procedures with regards to the environment "by identifying and addressing, as appropriate, the disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and its territories and possessions."[341] The Order goes on to say that this "shall apply equally to Native American Programs."[342] Indigenous communities have often been considered an afterthought, or an addendum, to existing models for dealing with environmental injustices, built out of the movement's early civil rights framework.

To draw out this comparison more closely, I want to consider two more definitions of environmental justice. The first is the Environmental Protection Agency's (EPA) definition,

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[339] I do not, in this chapter, explore the specific limits of environmental justice discourse for Indigenous issues. For a more complete look at the limits of environmental justice discourse for Indigenous peoples, I recommend *As Long as the Grass Grows: the Indigenous Fight for Environmental Justice, from Colonization to Standing Rock* by Dina Gilio-Whitaker and *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, by Glen Sean Coulthard.

[340] Gilo-Whitaker, *As Long as Grass Grows*, p. 26

[341] "Executive Order 12898 of Feb 16, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" *Code of Federal Regulations*, title 3.

[342] Ibid.

which, combined with Clinton's Executive Order, is still the primary definition in American legal frameworks. The EPA defines environmental justice thus:

> Environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental regulation and policies… [The] EPA has this goal for all communities and person across the nation. It will be achieved when everyone enjoys: the same degree of protection from environmental health hazards, and equal access to the decision-making process to have a healthy environment in which to live, work, and learn.[343]

Compare the EPA definition to this, the pre-amble of the 1991 *Principles of Environmental Justice,* written by the Commission for Racial Justice at the first People of Color Environmental Leadership Summit in Washington, DC:

> We, the people of color, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and to secure our political economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice.[344]

As the language of the pre-amble suggests, the document prepared by the People of Color Environmental Leadership Summit more closely addresses the colonial history and oppressive frameworks providing the backdrop for the conflict at Standing Rock than the EPA definition.[345]

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[343] United States Environmental Protection Agency, 2019. "Environmental Justice," www.epa.gov/environmentaljustice

[344] *Principles of Environmental Justice*, adopted at the First National People of Color Environmental Leadership Summit, Washington DC, October 24-27, 1991. <https://www.nrdc.org/sites/default/files/ej-principles.pdf>

[345] In fact, the US Army Corps of Engineers report which routed DAPL found that the corridor produced no disproportionate risk to minority communities. See Ardalan Raghian, 2018. "Newly Released Documents Show Dakota Access Pipeline is Discriminatory Against Indigenous Peoples" *Truthout,*

Notice, for instance, the emphasis on the sacredness of Mother Earth, a commitment to political, economic, and cultural liberation, and the specific denunciation of genocide. Colonialism is front and center. What is powerful about environmental justice, from this anti-colonial perspective, is that it produces commitments to a much wider vision of the environment, to include qualities of domination via settler colonialism.

Recently Indigenous scholars, such as Whyte and Gilo-Whitaker, point out that IEJ cannot be separated from colonial contexts. Moreover, scholars have begun to note that there still exists a literature gap pertaining to Native American and Indigenous communities with regards to chronicling environmental injustices.[346] As such, Indigenous environmental justice is both present and absent from the traditional narrative of the movement. While all cases of Indigenous Environmental Justice (IEJ) are environmental justice (EJ) cases, Karen Jarratt-Snider and Marianne O. Nielsen identify three factors that make IEJ distinct from EJ issues in North America: The first is that Native American tribes are sovereign Nations, not ethnic minorities; the second, the importance of connections to traditional homelands (locality); and third, the ongoing effects of colonization.[347]

As Wald et al., Whyte, and Dhillon point out, the geographical violence in the larger contexts begins with the colonial project itself--with the creation of the colonial matrix of

https://truthout.org/articles/newly-released-documents-show-dakota-access-pipeline-is-discriminatory-against-native-americans/

[346] Jessica Hernandez, "Indigenizing Environmental Justice: Case Studies from the Pacific Northwest," *Environmental Justice* 12 (2019): 175-181.

[347] Karen Jarratt-Snider and Marianne O. Nielsen, *Indigenous Environmental Justice* (Tucson: The University of Arizona Press), pp. 9-10.

power.[348] Therefore, Kyle Whyte suggests that environmental injustice occurs when systems of responsibility between humans and the land are disrupted through the process of colonization.[349] This definition of environmental justice is more fitting because it avoids occluding colonialism by ignoring the relevance of the colonial legacy to planetary ruin.

3.3 Locality - Traditional Connections to the Land

A variety of environmental justice scholars have shown that traditional connections to land are a main feature of Indigenous environmental justice.[350] This section shows how Indigenous communities at Standing Rock and the Pacific Northwest have been able to use traditional connections to land (locality) to challenge settler colonialism and restore systems of responsibility between humans and the land. For environmental philosophers, the importance of this section is to emphasize how, for Indigenous peoples, land-based practices facilitate Indigenous resurgence, produce desirable environmental outcomes, and disrupt settler colonial structures of power. The section has two examples. The first, the significance of buffalo and Oceti Sakowin. The Second, between salmon and fishing tribes in the Pacific Northwest.

Let me begin with a quick clarification of what being informed by the land means, in Indigenous contexts. Given the asymmetrical power structures which organizes the legal battle

[348] Wald et al., *Latinx Environmentalisms,* p. 5. Also see: Kyle Whyte, 2018. "Settler Colonialism, Ecology, and Environmental Injustice" *Environment and Society* 9: 125-144.

[349] Kyle Whyte,. "Indigenous Experience, Environmental Justice, and Settler colonialism" in *nature and experience: phenomenology and the environment*. Edited by Bryan E. Bannon. (Lanham: Rowman & Littlefield International, Ltd, 2016), pp. 157-174

[350] Here are a few notes, but there are many more: Kyle Whyte, 2018. "Food Sovereignty, Justice and Indigenous Peoples: An Essay on Settler Colonialism and Collective Continuance" in *Oxford Handbook of Food Ethics.* Edited by A. Barnhill, T. Doggett, and A. Egan. (Oxford: Oxford University Press), pp. 345-366: Jarratt-Snider and Nielsen, *Indigenous Environmental Justice*, p. 9-10; Glen Sean Coulthard, 2014. *Red Skin, White Masks*. (Minneapolis: University of Minnesota Press), pp. 77-78.

between Settler and Indigenous nations, Coulthard describes how the fight over territory can easily slip from the complex reciprocal relationship with land to a language of property rights.[351] This results in "a reorientation of Indigenous struggle from one that was deeply *informed* by the land as a system of reciprocal relations and obligations… to a struggle that is now increasingly *for* land."[352] Furthermore, the language of property rights, or any individualist civil rights framework, can be used to produce assimilation and erasure. For instance, the 1887 Dawes Act confers US citizenship only to individual Natives, via the privatization and recordation of their land, working to diminish collective ownership of land.[353] In this way, citizenship (and the rights that followed) was a form of elimination predicated on relinquishing collective rights, collective property, and a collective sense of identity as Indigenous Nations to become individual 'property-owning' citizens.[354] As Gilo-Whitaker suggests, the concept of land as property fundamentally relies on the frequent relocation of people, necessitating Indigenous disappearance.[355]

Coulthard emphasizes that the struggle *informed* by the land is functionally decolonial in that it is anti-capitalist, while the struggle *for* the land ends up being a materialist struggle over resources which are exploited by capitalist extraction.[356] #noDAPL and the Water Protectors locate their political resistance in traditional structures of governance *informed* by the land. As

[351] Coulthard, *Red Skin, White Masks*, p. 78, Also see Paul Nadasy, 2002. "'Property' and Aboriginal Land Claims in the Canadian Subarctic: Some Theoretical Considerations," *American Anthropologist* 104: p. 248.

[352] Coulthard, *Red Skin, White Masks*, p. 78.

[353] Estes, *Our History is the Future,* p. 210.

[354] Ibid.

[355] Gilio-Whitaker, *As Long as the Grass Grows,* p. 26.

[356] Coulthard, *Red Skin, White Masks*, p. 78.

Estes puts it, “The Oceti Sakowin’s struggle for its land is not about getting reparations, apologies, or reconciliation. It is about justice and ending the settler-colonial system.”[357] It is precisely the decolonial and anti-capitalist character present at the Oceti Sakowin camp which is so important for effective IEJ movements for scholars like Estes[358], Coulthard,[359] and Sze.[360]

Furthermore, in contrast to domestic law, Indigenous sovereignty has been effectively wielded in the arena of international relations to promote Indigenous environmental justice. The United Nations Declaration on the Rights of Indigenous Peoples strongly emphasizes that “Indigenous people have a right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands…”[361] This is a fundamental right, not because of land-tenure precedent, but because violence against the land and violence against Indigenous people are inexorably linked, something the document repeatedly affirms.

The following story about Oceti Sakowin and the buffalo nation exemplifies how violence against the land and violence against people are connected. Additionally, it shows how Indigenous connections to the land are community-driven, not individualist. Community-driven, in this context, means more than just Oceti Sakowin, as treaties with other-than-human nations are a core part of land-based kinship for Lakota people.

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[357] Estes, *Our History is the Future,* p. 243.

[358] Ibid. 357.

[359] Couthard, *Red Skin, White Masks,* pp. 77-8.

[360] Julie Sze, 2020. *Environmental Justice in a Moment of Danger* (Oakland: University of California Press): p. 28

[361] UN Declaration on the Rights of Indigenous Peoples, 2007. <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf>

3.4 The Buffalo and Oceti Sakowin: The First Treaty

In 2014 at the "advisory" meeting with ETP (DAPL) representatives, Phillis Young powerfully announced that they are Hukpapa Lakota, horn of the buffalo.[362] ETP representatives undoubtably had no idea what she meant or the powerful history behind what she was saying. For Lakota, the buffalo represent powerful kin-based, reciprocal relationships to place (locality). They represent a shared, mutual history of respect and reciprocity.

Buffalo are extremely significant for Oceti Sakowin being tied deeply to creation stories.[363] Estes explains that Oceti Sakowin are descendants from Pte Oyate (the Buffalo Nation).[364] It was Pte Ska Win (White Buffalo Calf Woman) who first brought Čhaŋnúŋpa (the ceremonial pipe) and taught the Lakota how humans would exist in correct relations to Pte Oyate and the other-than-human world. In fact, it was she who formalized the first treaty, not between human nations, but with Pte Oyate.[365] Estes explains that Pte Ska Win brought formal relations between Oceti Sakowin to the land, water, plants, and animals, as part of this first treaty. Therefore, those relations were grounded in the first treaty and no one has the right to cede them.[366] Arvol Looking Horse, the living keeper of the Čhaŋnúŋpa, led the first prayer march at #noDAPL, in honor of the original commitments at Oceti Sakowin's founding.[367]

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[362] Estes, *Our History is the Future,* p. 46.

[363] Julian Rice, 1998. *Before the great spirit: the many faces of Sioux spirituality*. (University of New Mexico Press) https://indiancountrytoday.com/archive/our-brothers-and-sisters-5-sacred-animals-and-what-they-mean-in-native-cultures-wMscjRqj-EywUWPp0hiltg

[364] Estes, *Our History is the Future,* p. 70.

[365] Ibid., p. 83.

[366] Ibid.

[367] Ibid.

In his 1903 abdication speech, Red Cloud[368] recalled that the 1868 Fort Laramie Treaty (the one DAPL is in violation of) was one involving not just human parties, but the other-than-human buffalo as well.[369] Lakota treaties with the United States and other nations often included commitments to other-than-human relations.[370] For Red Cloud, the Treaty specified that Lakota territory begins and ends with the buffalo nations' territory. "We told them that the country of the buffalo was the country of the Lakotas." Red Cloud explained, "we told them the buffalo must have their country and the Lakotas must have the buffalo."[371] At first, it may seem like the territory of the buffalo and the territory of the Lakotas overlap, when in fact the territory 'belongs' to the buffalo. Notice in Red Cloud's account that the country, the land, He Sapa (the Black Hills) is that of the buffalo, and that the Lakota are of the buffalo. In Lakota tradition, the buffalo are providers given by Taku Wakan (something holy or sacred[372]) as opposed to the white man's cattle which Red Cloud says must be cared for to be kept alive.[373] In all, there exists a commitment of mutual respect and reciprocity between the buffalo and the Lakotas.

In many Indigenous worldviews, including for the Lakota, kinship relations are expressed

[368] Red Cloud (Lakota: Maȟpíya Lúta) is an important figure in the history of the 1868 Fort Laramie treaty. Having been tasked with leadership by an alliance of Cheyennes, Lakotas, Arapahos, and Dakotas, Red Cloud and his group sought to drive settlers out of the 1851 Fort Laramie Treaty territory, to expel them from buffalo grounds. The U.S., facing increasing military defeats at the hands of Red Cloud (and famously, Crazy Horse) sought peace in the 1868 Treaty. Red Cloud ended up being the primary signatory of that Treaty, though, in actuality, Lakota leadership beyond the military was largely decentralized. (Estes, 107-8)

[369] Estes, *Our History is the Future*, p. 109 .

[370] Ibid.

[371] James R. Walker (editor), 1980. *Lakota Belief and Ritual* (Lincoln: University of Nebraska Press) p. 139.

[372] Lakotayapi Dictionary 520.

[373] Walker, *Lakota Belief and Ritual,* p. 139.

as a set of mutual responsibilities.[374] Buffalo as a source of food and ritual were an important strategic relationship which afforded the Lakota the power to resist initial encroachment by settlers. Nick Estes explains how a return to subsistence buffalo hunting allowed early Missouri River Lakotas and Dakotas to resist the spread and domination of capitalism through unfavorable and sexist fur-trading. He writes: "Like a good relative, the Pte Oyate initially provided the means to confront invasion; however, this dependency would soon be exploited as a weakness when the military targeted the buffalo nations for extermination."[375] The United States military well understood how the connection to place (locality), and other-than-human relationships facilitated resistance. In the 1860s, they worked to annihilate 10 to 15 million buffalos.[376] The attack on the land and the buffalo was an attack on subsistence practices and the ability to resist encroachment. The extermination of buffalo to weaken the military and political strength of Dakota and Lakota nations by settlers was an attack on Lakota sovereignty.

As with the UN Declaration, Indigenous sovereignty is connected to land-based practices. As Estes explains, Indigenous conceptions of "sovereignty" and "nationhood" function differently than typical European-inherited conceptualizations. Moreover, they are not always aligned with calls for representation and sovereignty among the Third World.[377] For Estes, sovereignty means being in relation with other beings, including other-than-human

[374] Kyle Whyte, 2020. "Against Crisis Epistemology" in *Handbook of Critical Indigenous Studies*, edited by Brendan Hokowhitu, Aileen Moreton-Robinson, Linda Tuhiwai-Smith, Steve Larkin, and Christ Andersen. (Abingdon: Routledge), p. 7

[375] Estes, *Our History is the Future,* pp. 97-98.

[376] Ibid., p. 9.

[377] Ibid., p. 204.

life.[378] In the sense of Estes, to be sovereign is to be in relationship with the waters and lands of the region. In the context of #noDAPL, Mni Sose and water generally became the loci of contestation, but because Indigenous sovereignty is dependent on traditional connections to the land, not just access to resources, #noDAPL is also a fight for sovereignty against settler encroachment. This broadens the definition of sovereignty to include both the legal-political meaning and evokes land as a site of cultural and spiritual practice.[379]

At Standing Rock, the central tipis of Oceti Sakowin Camp were arranged in the shape of a buffalo horn, with the seven counsel fires at the center, embodying Phillis Young's declaration to DAPL representatives.[380] The whole camp was shaped as a crescent half circle[381] pointing toward Mni Sose and Wiyohipapata (the Missouri river where the sun rises).[382] From there, the camp spiraled out to other Indigenous national camps and organization's camps. Nick Estes recalls speaking with Lewis Grassrope at the Lower Brule camp while looking at the Seven Council Fires of the reunited nations. "A lot of people didn't believe; they didn't have faith" he said. "When KXL happened, the belief came back. When DAPL happened, the belief came back."[383] As Faith Spotted Eagle said, it was the rebirth of a nation.[384]

Like a good relative, Pte Oyate appeared at Standing Rock. In October of 2016, a herd of

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[378] Estes, *Our History is the Future,* p. 203.

[379] Andrew Curley, 2019. "Beyond Environmentalism: #NoDAPL as Assertion of Tribal Sovereignty" in *Standing With Standing Rock: Voices from the #NoDAPL Movement* edited by Nick Estes and Jaskiran Dhillon. (Minneapolis: University of Minnesota Press), p. 164.

[380] Estes, *Our History is the Future,* p. 40.

[381] The significance of which is briefly mentioned in the Tim Mentz video in the last chapter

[382] Estes, *Our History is the Future,* p. 40.

[383] Ibid., p. 41.

[384] Longhouse Media, 2016. "Confronting Settler Colonialism – Faith Spotted Eagle" Vimeo (2:46 minutes) https://vimeo.com/198902656

buffalo was visible on the horizon, near the stand-off between protestors and security personnel. In a video filmed and uploaded to Facebook by Myron Dewey,[385] Dewey is interviewing a man identified as Dean in the video description, standing among a crowd of protestors in front of barbed wire and security personnel. While discussing the use of tear-gas, riot gear, rubber bullets, and batons they are interrupted by the appearance of buffalo on the horizon. "Look at all those buffalo! Takanka [buffalo]! Takanka! They are coming for you guys!" he shouts, excitedly.[386] The crowd erupts with excitement and cheers before the video ends. As Oceti Sakowin came back, so too did the buffalo.

What the buffalo story shows is the interdependence and kin-based relationship that the Lakota have with the buffalo through the land. As evidenced by the decline and return of buffalo herds, connection to land is fundamental for Lakota sovereignty and self-determination. Recall that Whyte's definition of environmental injustice is anything which disrupts human relationships with the land. With this definition in mind, we see that the disruption of relationships to water (Mni Oyate) the Missouri river (Mni Sose) and the buffalo (Pte Oyate) are all acts of environmental injustice. For environmental philosophers, the key here is to recognize that a decolonial approach to environmentalism centers settler colonialism as the source of disruption between human and other-than-human beings.

With this story, I do not mean to suggest that attachment to place (locality) produces increased vulnerability to environmental injustices. In fact, I mean to show the opposite; that

[385] Myron Dewey is a filmmaker, journalist, digital storyteller, and the founder of Digital Smoke Signals, a media production company that aims to give a platform to indigenous voices in media. His drone footage of the Standing Rock protest is among the most extensive.

[386] Myron Dewey, Oct 27 2016. Facebook Video. "Forceful removal off treaty land" <https://www.facebook.com/myron.dewey1/videos/10104033718881989/>

IEJ cases represent a point of unique strength, not increased vulnerability, for Indigenous people.[387] Recall that it was the buffalo nation which allowed the Lakota to resist unfavorable trading arrangements with settler fur-traders. As Nick Estes wrote on Twitter back in September of 2020: "I'm always cautious of trauma narratives. Indigeneity is more than just genocide. It's a world-making politics for just relations. And the most dangerous elements — decolonization through land back and class struggle — tend to be neutralized within academic spaces."[388] He goes on to suggest that politics of identity for Indigenous people has begun to become a politics of injury, whereby their humanity is defined by collective plight.[389] In *Our History is the Future*, he explores how the history of relationships between Oceti Sakowin, Mni Sose, and the United States is not just a narrow subfield of history, capitalism, or imperialism. Rather he suggests that "Indigenous peoples are central subjects of modern world history."[390]

As such, I want to offer another example which goes against the victim narrative and shows how human/other-than-human relationships can re-inscribe indigenous sovereignty. When searching for IEJ issues, there is one case (or set of cases) which emerges with far greater frequency than the rest—that of fishing tribes in the Pacific Northwest.[391] The struggles of Native American Tribes for their fishing rights in the Pacific Northwest is, comparatively, well chronicled for a case of IEJ.[392] In fact, salmon preservation and protection is perhaps the most

[387] To support the narrative of increased vulnerability is to participate in the 'dying Indian' mythos (see Tuck and Yang "Decolonization is not a Metaphor" p. 14.

[388] Nick Estes, Sep 4 2020. Twitter Post. https://twitter.com/nickwestes/status/1301998644095320065

[389] Nick Estes, Sep 4 2020. Twitter Post. https://twitter.com/nickwestes/status/1301998647861805058

[390] Estes, *Our History is the Future,* p. 21.

[391] Jessica Hernandez "Indigenizing Environmental Justice: Case Studies from the Pacific Northwest"

[392]: Fay Cohen, 1986. *Treaties on Trial: The Continuing Controversy of Northwest Indian Fishing Rights* (Seattle: University of Washington Press): Hernandez, "Indigenizing Environmental Justice: Case Studies in the Pacific

well documented case of success in the realm of Indigenous environmental justice in the United States,[393] and paints a fairly good picture of how traditional connections to the land and treaty rights can be leveraged in a way that challenges settler colonial power structures.

3.5 Salmon and Pacific Northwestern Tribes: Nonviolent Fish-Ins

Julia Cantzler and Megan Huynh have argued that fishing tribes in the Pacific Northwest have been able to regain significant influence in the decision-making process in protecting salmon from overfishing and habitat destruction by utilizing a combination of scientific methods and traditional knowledge systems, despite asymmetrical power dynamics favoring state, recreational, and commercial actors.[394] They argue that decolonization necessitates the deconstruction of *both* structural manifestations of inequality but also their ideological foundations. Furthermore, they suggest that Native American tribes are well poised to accomplish both due to their unique status as semi-sovereign nations.[395]

Like the nations of Oceti Sakowin, Pacific Northwest tribes have multi-generational traditions which connect "their spiritual, material, and social well-being to the natural world."[396] For Tribes in the Pacific Northwest, the salmon most singularly represents this connection.[397] In this context, salmon are more than just a resource, they are life. However, settler colonialism has disrupted the multi-century long relationship that Pacific Northwest

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Northwest": Julia Miller Cantzler and Megan Huynh, 2016. "Native American Environmental Justice as Decolonization" *American Behavioral Scientist* 60(2): pp. 203-223.

[393] Cantzler and Huynh, "Native American Environmental Justice as Decolonization"

[394] Ibid.

[395] Ibid., p. 210.

[396] Ibid., p. 205.

[397] Ibid.

tribes have to salmon.

Through creative use of licensing laws and sustainability rhetoric, the State worked to ban tribal fishing strategies and access to traditional fishing grounds--resulting of course in depleted and unsustainable salmon and steel-head trout populations. However, the point was never sustainability; rather, it was an attack on Indigenous sovereignty and cultural continuance.[398] As with the buffalo, methodological separation of tribal communities from the salmon exploited a focal point of tribal cultural identity and customary practices.

Like the story of Pte Ska Win's first treaty with the buffalo, treaties which involve other-than-human relations are prevalent in this case as well. By the time regular interaction between Native Americans and Anglo-Europeans in the Pacific Northwest became sustained (around the mid-1800s), fishing and continued access to fishing was something tribes sought to establish in treaties above all else.[399] While early treaties with settlers laid out the crucial condition that traditional fishing practices are not disturbed, the Bureau of Indian Affairs was unhelpful in defending treaty rights. The result was increased violence on the part of white fishermen and law enforcement officials who brutalized Indigenous fishers engaged in traditional practices and depleted the salmon population.

Whyte calls attention to the description by Billy Frank Jr., a late Nisqually leader, of the violations against the Treaty Tribes of Western Washington.

> Through the treaties, we reserved that which is most important to us as a people: The right to harvest salmon in our traditional fishing areas. But today the salmon is disappearing because the [U.S.] federal government is failing to protect salmon habitat. Without the salmon there is no treaty right. We kept our word when we ceded all of

[398] Cantzler and Huynh, "Native American Environmental Justice as Decolonization" p. 204.

[399] Ibid., p. 296.

> western Washington to the United States, and we expect the United States to keep its word.[400]

A superficial reading of his words may lead one to wonder how it could be just that the well-being of the salmon, so important to the Nisqually, would be under the stewardship of the United States, rather than their own. Like with Red Cloud, the treaties really incorporate three nations, that of the Nisqually, the United States, and the Salmon. When any one is threatened the treaties becomes broken. Hence, activities which threaten the well-being of Salmon are activities which violate the treaty.

In the face of police and white fisherman's brutality, Native American activism increased alongside oppositional cultural identities which drew from long-standing resistance strategies against colonization and a deep connection to the natural environment.[401] One strategy involved "fish-ins," modeled after civil rights "sit-ins," whereby Indigenous fishers would protest by non-violently practicing traditional fishing techniques in areas which had been rendered off-limits by the violence of local settlers.[402] The symbolic nature of the fish-ins and the often violent responses they provoked created sustained pressure within the international arena[403] that ultimately led to the federal government being compelled to sue the State of Washington over treaty fishing rights. Judge Boldt ruled in favor of the tribes, determining that 50% of the fish stock should be under the direct control of Tribal jurisdiction, even though

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[400] Billy Frank Jr., quoted in Whyte, "Food Sovereignty, Justice, and Indigenous Peoples" p. 348.

[401] Cantzler and Huynh, "Native American Environmental Justice as Decolonization," p. 207.

[402] Ibid., p. 207.

[403] Article 29 of the UN Declaration on the rights of Indigenous Peoples specifies that "Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination."

Native Americans represented only 1% of the area's population. With the force of law, Indigenous activists have been able to wield influence to facilitate the creation of cooperative tribal government and scientific infrastructures. Begrudgingly, the State of Washington ultimately conceded the fight and joined tribes as co-managers of the fisheries. Cantzler and Huynh argue that the management partnerships are quite successful and can provide a model for State-Indigenous resource co-management.[404] Importantly, recognition of treaty rights afforded tribes an increased opportunity for cultural revitalization, as well as economic incentive for tribal members to return to the reservations for work.[405]

There are two main insights to be gained from the salmon example. The first is simply that sustained use of traditional land-based practices by Tribes in the Pacific Northwest paved the way for Indigenous cultural resurgence and desirable environmental outcomes. Returning to Whyte's definition of environmental injustice, here we see the reverse; how the restoration of human and other-than-human relationships produces just relations.[406]

The second insight is that the case shows how Native American tribes may be in a better position than other groups for dismantling settler colonial State relationships due to their unique status as semi-sovereign nations. I expand on this point more in the next section.

Taking these two examples, the buffalo and the salmon, together foregrounds how settler colonial violence disrupts of human relations with the land, creating environmental injustices. Additionally, these can serve as examples for environmental philosophers of the kind

[404] Cantzler and Huynh, "Native American Environmental Justice as Decolonization," p. 208.

[405] Ibid.

[406] For further development of this, see Whyte "Food Sovereignty, Justice, and Indigenous Peoples"

of issues which emerge from the analytic of the coloniality of nature. In both cases, "nature," or the land, served as a domain of colonial control with settler colonialism seeking to disrupt Indigenous connections to the land to facilitate erasure.

Standing Rock and Pacific Northwestern fishing tribes are just two examples, but Indigenous resistance to resource extraction and depletion is a global phenomenon. In this sense, Indigeneity becomes directly linked to struggles to protect relations between tribal Nations and the land. Environmental justice shows that the Water Protectors and indeed all Indigenous peoples' resistance of dispossession is the refutation of capitalist accumulation, white possession, and environmental destruction.[407] Thus, violence against Indigenous peoples and environmental degradation emerge from the same source; the colonial project. As such, in the next section I argue that Indigenous people are central protagonists in the refutation of colonialism and the selfsame environmental ruin.

3.6 Indigenous People as Central Protagonists

In this section, I draw on Julie Sze, Julian Brave Noisecat and Anne Spice, and Jaskiran Dhillion to argue that Indigenous efforts to resist environmental injustices are not marginal cases, but in fact central and crucial loci in fighting colonial systems of power. As we saw with the example of Northwestern Tribal fishing practices, the unique legal and political status of federally recognized tribal nations in the United States sets up opportunities for disruption. This section develops that point and then builds on it to argue that Indigenous Nations are relatively well poised to refute violent resource extraction, racism, sexism, and other aspects of the

[407] Julian Brave Noisecat and Anne Spice, 2016. "A History and Future of Resistance" *Jacobin*. <https://www.jacobinmag.com/2016/09/standing-rock-dakota-access-pipeline-protest/>

coloniality of power. This is not to say that Indigenous peoples do not face big obstacles—colonialism is a vast and complex system of domination. Moreover, it is not the role of Indigenous peoples to solve the problems brought about by colonialism. Rather, I aim to suggest that Indigenous peoples are at the forefront of resistance and solidarity networks are key.

Julie Sze suggests that Indigenous peoples Nationhood status places them in a prime position for disrupting the systems of global capitalism.[408] For starters, large reserves of natural resources are located on Native lands—a predictable consequence of the coloniality of power. For instance, within North America, Native American reservations constitute just 2 percent of the land but contain as much as a fifth of the nation's oil, gas, and coal.[409] More recently, biodiversity has become recognized as a valuable resource for science and in the fight against climate change.[410] Indigenous lands are home to 80% of the earth's biodiversity.[411] As such, Indigenous lands hold economic "value" that is ripe for extractive logics.[412]

As we saw with the Salmon example, the legal status of Indigenous Nations can often be leveraged in a way which interrupts the resource extraction described above. For instance, in the United States, federally recognized tribal nations are in a special legal relationship to the

[408] Sze, *Environmental Justice in a Moment of Danger,* p. 28

[409] Valerie Volcovici, Dec 5 2016. "Trump advisors aim to privatize oil-rich Indian reservations" *Reuters.* <https://www.reuters.com/article/us-usa-trump-tribes-insight/trump-advisors-aim-to-privatize-oil-rich-indian-reservations-idUSKBN13U1B1>

[410] Harold Mooney, Anne Larigauderie, Manuel Cesario, Thomas Elmquist, Ove Hoegh-Guldberg, Sandra Lavorel, Georgina M Mace, Margaret Palmer, Robert Scholes, Tetsukazu Yahara, 2009. "Biodiversity, climate change, and ecosystem services" *Current Opinion in Environmental Sustainability* 1(1): pp. 46-54.

[411] Irene Banos Ruiz, 2017. "Granting indigenous land rights could save the climate – or not" *DW*. <https://www.dw.com/en/granting-indigenous-land-rights-could-save-the-climate-or-not/a-38819147>

[412] Sze, *Environmental Justice in a Moment of Danger,* p. 28.

federal government, known as the Trust Doctrine,[413] which suggests that the United States has an obligation to protect the interests of Indian Tribes.[414] As we see in the salmon case, the United States does not always follow through with this obligation but alongside evolving parameters of State-Indigenous relations internationally, pressures can be applied. Sze, and Jarratt-Snider and Nielsen, have both argued that Indigenous sovereignty, in the sense of Indigenous nationhood, is a key strength for IEJ movements. In other words, Indigenous sovereignty in the traditional political sense offers unique strength in resisting neoliberal colonialism.

Likewise, Jaskiran Dhillon argues that the overall fight for environmental justice should be framed as a fight for Indigenous sovereignty,[415] because accurate accounts of the social and political causes of climate change necessitate a close engagement with the history of genocide, land dispossession, and the destruction of Indigenous societies.[416] Standing Rock, in many ways, is the perfect example of this link whereby the transportation of crude oil, representing exploitive capitalist accumulation of "natural resources," is simultaneously produced with the imposition of colonial violence undermining Indigenous authority over their peoples and their lands. Indigenous dispossession and the logics and systems behind planetary destruction go hand-in-hand. Ultimately, Dhillon argues that our best hope for restoring balance to the planet

[413] It is worth noting in the context of America that the U.S. Supreme Court recommends the term "Indian," to refer to tribal nations, as a political designation, not a racial designation. Hence, EJ movements' early efforts to link environmental degradation to civil rights is at odds with the political goals of Indigenous nations seeking self-determination and sovereignty.

[414] Jarratt-Snider and Nielsen, *Indigenous Environmental Justice*, p. 9.

[415] Jaskiran Dhillon, 2019. "What Standing Rock Teaches us about Environmental Justice" in *Standing with Standing Rock: Voices from the #NoDAPL Movement* edited by Nick Estes and Jaskiran Dhillon. (Minneapolis: University of Minnesota Press), pp. 235-244.

[416] Ibid., p. 236.

and respecting the interconnectedness of all things is to "fervently advocate for justice for Indigenous communities and return to them the power of governance."[417] As Harsha Walia suggests, "Decolonization is as much a process as a goal. It requires a profound recentering of indigenous worldviews in our movements for political liberation, social transformation, renewed cultural kinships, and the development of an economic system that serves rather than threatens our collective life on this planet."[418]

James Fenelon and Clifford Trafzer offer a key insight which can bridge Sze's and Dhillon's approaches with the broader goals of decolonization. They argue that racial formation theories demonstrate that colonial hegemony is constructed and maintained through both a structural and cultural process.[419] The Salmon example shows how settler colonialism can be challenged at the structural level, with Nation-to-Nation treaties. Along these same lines, Standing Rock shows that challenges can emerge which are simultaneously structural but also challenge settler colonialism's ideological foundations.[420] In other words, Standing Rock's resistance to environmental injustice is inherently linked to its emphasis on youth/female leadership, anti-capitalist, and anti-imperialist socio-political structure.

Estes explains that for the Oceti Sakowin camp, Mni Wiconi, "water is life," draws on the

[417] Dhillon, 2019. "What Standing Rock Teaches us about Environmental Justice" p. 237

[418] Harsha Walia, 2015. "Decolonize Together: Moving beyond a Politics of Solidarity toward a Practice of Decolonization" in *Taking Sides: Revolutionary Solidarity and the Poverty of Liberalism*. Edited by Cindy Milstein. (Oakland: AK Press): pp. 40-47.

[419] James Fenelon and Clifford Trafzer, 2014. "From Colonialism to Denial of California Genocide to Misrepresentations: Special Issue on Indigenous Struggles in the Americas" *American behavioral Scientist* 58(1): pp. 3-29.

[420] The fishing Tribes did this too, but I simplify from here.

history of Wotakuye, "being a good relative."[421] In this way, the structure of the protest are grounded in a long history of resistance to the broader Western subjectivity produced by the colonial matrix of power. In contrast to the extractive logic of Energy Transfer Partners, Mni Wiconi is about protection, protection of Mni Sose. Because Indigenous resistance draws on anti-colonial, anti-racist,[422] and anti-patriarchy histories, Indigenous nations are well poised to embody the values which embrace anti-racism and ecological stability but are also anti-militarist, anti-imperialist, and affirm gender-justice.[423] In other words, at Standing Rock the ideological foundations of settler colonialism (the geo-politics of knowledge for Mignolo) are challenged.

Many scholars have drawn parallels between Indigenous struggles like #noDAPL to other recent movements for justice and liberation which were also met with discriminant police brutality, such as #BlackLivesMatter.[424] Such parallels are useful for linking the movements through the ideologies that they work to refute. Consider how the 1991 "Principles of Environmental Justice" challenge racism, patriarchy, capitalism, imperialism, ecological harm, and afford space for an enspirited world, recognizing the inherent worth of other-than-human entities. The struggle for the Water Protectors then becomes one which reaches beyond

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[421] Estes, *Our History is the Future,* p. 21.

[422] I want to briefly return here to Patrick Wolfe's framing of race in the context of settler colonialism, which I discussed briefly in chapter 1. Basically, Wolfe argues that in settler colonial contexts the organizing grammar of race is deployed in the conquest of territory; that it is land, not race or racism, is settler colonialism's irreducible element. Snelgrove et al., have warned that Wolfe and others in the settler colonial theory camp may be inadvertently re-centering white and/or European hegemony by attempts to deflect away from Indigenous resistance as a site of analysis. In contrast to Wolfe, in Indigenous literature I found that resistance to white supremacy, colonialism, and imperialism are so deeply interwoven with the defense of land and the maintenance and revival of Indigenous self-determination that Wolfe's position on race is distracting rather than illuminating.

[423] Pellow, *What is Critical Environmental Justice?,* p. 4.

[424] Sze, *Environmental Justice in a Moment of Danger,* p. 42.

incorporation into neoliberal democracy. Taking the UN Declaration on Indigenous Rights together with the understanding of environmental justice as more than resistance to environmental racism and colonialism, we see that practices and ways of living which intersect with any social relations[425] form the basis of Indigenous environmental justice movements.[426] As Estes suggests, the "Water Protectors stood for something greater: the continuation of life on a planet ravaged by capitalism."[427]

Another key refutation which emerges often in environmental justice literature about Standing Rock was that of gender violence. Leanne Simpson explains how gender violence in particular attacks the foundational structures of Indigenous resistance, attacking the core of relationality.[428] Taking on gender violence, she argues, is a core aspect of resurgence, decolonization, and Indigenous mobilization. Imparting colonial gender roles through things like boarding schools is an important step for disrupting the traditional networks of community present in Indigenous nations. Youths, she says, are all the more instrumental as each generation "can be stronger, more grounded and less influenced by colonialism."[429] Accordingly, Dhillon draws attention to two large signs which flanked the road of construction vehicles near the camp: "NO MORE STOLEN SISTERS" and "VIOLENCE AGAINST THE LAND IS VIOLENCE AGAINST WOMEN."[430] She goes on to explain how violence against Indigenous

[425] Including those of gender, youth, and sexuality

[426] Sze, *Environmental Justice in a Moment of Danger,* p. 9.

[427] Estes, *Our History is the Future,* p. 15.

[428] Leanne Simpson, 2015. "Not Murdered and Not Missing: Rebelling against Colonial Gender Violence" in *Taking Sides: Revolutionary Solidarity and the Poverty of Liberalism*. Edited by Cindy Milstein. (Oakland: AK Press): p. 116 .

[429] Ibid., p. 121.

[430] Dhillon, "What Standing Rock Teaches us about Environmental Justice," p. 237.

bodies, like that of the counter-terrorism tactics deployed at Standing Rock, works in tandem with environmental violence to dismantle traditional systems of relation within Lakota society. It should come as no surprise that #noDAPL was led primarily by Indigenous women, such as Bobbi Jean Three Legs, Zaysha Grinnell, Tokata Iron Eyes, and Jasilyn Charger, LaDonna Bravebull Allard, Phyllis Young, and Faith Spotted Eagle.

Indigenous self-determination is inherently connected to anti-racism, anti-poverty, anti-imperial, anti-police violence, and feminist struggles. As such, IEJ issues spread wide and provide powerful re-imaginings of systems of relations with all beings and the land. In the face of capitalism, Water Protectors shared equipment, tools, and knowledge freely with one another. In the face of gender violence, the Water Protectors were guided by women elders[431] and the youth.[432] In the face of imperialism, the Seven Council Fires represented a new political organization which drew directly from traditional connections to the land and Indigenous sovereignty.[433]

From chapter 2, recall that the colonial matrix of power has five legs: Knowledge & subjectivity, Racism, Gender & Sexuality, Economy, Authority, and our added "Nature." Taking just Standing Rock as an example, we can see refutations or challenges in all five areas. The Water protectors traditional land-based knowledge practices yield a 'localized' orientation, per Burkhart, which challenges the 'delocalized' knowledge & subjectivity of colonialism. The

[431] *Standing with Standing Rock* 13, 28-9.

[432] Estes, *Our History is the Future,* pp. 52-3.

[433] Elizabeth Ellis, 2019. "Centering Sovereignty: How Standing Rock Changes the Conversation" in *Standing with Standing Rock,* p. 174.

Standing Rock camp embodied anti-racist, feminist, and queer positive practices,[434] refuting violence in all areas with unyielding non-violent demonstrations.[435] The Water Protectors stand firm in the face of oppressive capitalist mega-corporations that fuel a violent economy. As autonomous Nations, Oceti Sakowin challenges the authority of settler colonialism over the DAPL corridor, utilizing treaty frameworks which are *informed* by the land itself.[436] And finally, "Mni Wiconi," (water is life) rejects the extractive paradigm of 'natural resources' and re-establishes the vital relationships between humans and water.

I would like to end this section pulling a longer passage from Julian Brave Noisecat and Anne Spice. They write:

> For the average American, it's easy to mistake the resistance at Standing Rock for a one-time re-run: indigenous warriors emerge from the wild, put up a brief, fierce, but ultimately tragic fight before succumbing to progress and providence. Cowboys and Indians II: Pipeline edition.
>
> Vine Deloria Jr, the father of Native American Studies, called this the "cameo theory" of American history. In this version of events, indigenous people are cast in fleeting roles — movie set extras in the grand drama of American progress — only to be dropped from the next episode's storyline.
>
> But such a narrative obscures the fact that indigenous people — not only in the United States, but across the settler colonized Angloworld in Australia, Canada, and New Zealand — have starred in a series of long-running, quietly successful movements to oppose natural resource extraction and neoliberal colonization.
>
> At Standing Rock and across indigenous territories, indigenous peoples are resisting hundreds of years of dispossession, subjugation, and elimination committed in the

[434] Jen Deerinwater, Oct 26 2018. "Reflections on Standing Rock and Our Queer Mother Earth" *Rewire News Group*. <https://rewirenewsgroup.com/article/2018/10/26/reflections-on-standing-rock-and-our-queer-mother-earth/>

[435] George Lakey, Jan 6 2017. "Standing Rock and the Return of the Nonviolent Campaign" *YES!Magazine* <https://www.yesmagazine.org/democracy/2017/01/06/standing-rock-and-the-return-of-the-nonviolent-campaign/>

[436] Tim Mentz, "The Unraveling of Government-to-Government Tribal Consultation: Tribal Nations Involvement Minimized outside Reservation boundaries by Action of Federal Communications Commission" *the Teton Times* <https://www.indianz.com/News/2018/04/04/tim-mentz-new-fcc-policy-sacrifices-our.asp>

> name of capitalist accumulation and white possession. As indigenous people put their bodies on the line to resist the Dakota Access Pipeline, they are fighting for their sovereignty while offering an alternative relationship to land, water, and each other.[437]

Borrowing their framing here, I have tried to show that Indigenous peoples are central protagonists in the story against colonialism and, therefore, planetary destruction. Water and Land Protectors everywhere show how resistance through and with land-based practices materializes powerful repudiations of violence and offers alternative frameworks for building more just relations. Nick Estes book about Standing Rock is entitled *Our History is the Future: Standing Rock versus the Dakota Access Pipeline and the Long Tradition of Indigenous Resistance*. The title has a dual meaning. First, he means that Standing Rock draws on multigenerational strategies of resistance against settler colonialism. Second, that traditional land-based practices pave the way for a more just relationship with the land moving forward.

Continuing the metaphor, if Indigenous communities like the Water Protectors are central protagonists, environmental philosophy can take up an auxiliary or supporting role.[438] This necessitates a listening orientation towards Indigenous voices and a willingness to do the critical self-reflective task of facing up to the violent legacy of the discipline. A pivot away from detached notions of 'wilderness' or the value of nature in-and-of-itself toward an interdisciplinary approach which recognizes lingering colonial narratives that produce erasure.

3.7 Conclusion

To conclude, I would like to look at just one more example: The Paris Climate Accord,

[437] Julian Brave Noisecat and Anne Spice, "A History and Future of Resistance"

[438] I do not mean to suggest that there are no Indigenous people who are environmental philosophers. There are. Here I mean to suggest the discipline more broadly is in an auxiliary role.

which is meant to guide the world into a more ecologically sustainable future, mentions the protection of Indigenous rights only once, in the pre-amble in a list of vulnerable groups.[439] Nowhere does it establish the need to promote self-determination for Indigenous peoples nor an arrangement which promotes Indigenous sovereignty.[440]

What the absence of Indigenous sovereignty in the Paris Climate Accord reveals is that the colonial violence which has fostered the ruination of the planet is still occluded, masked, and unrecognized. Even in this context, Indigenous land itself supersedes the people as a resource, be it as a carbon sink, a site for scientific inquiry, or a museum-like repository of biodiversity for ecological tours. The Paris Accord re-centers 'the environment/Nature' as the subject, which in turn de-centers Indigeneity. It re-inscribes the preservation and sustainability narratives of white environmentalism I described in chapter 2.

Using Whyte's definition of environmental injustice, anything which disrupts human relationships with the environment, we begin to see that the colonial encounter is the root cause of the environmental crisis.[441] Environmental justice frameworks can show how 'locality,' as in traditional connections which stem from land-based knowledge practices, is disrupted by settler colonialism. Furthermore, IEJ chronicles effective practices for restoring them such as were embodied by the Water Protectors at Standing Rock and Pacific Northwest fishing tribes. These examples also show how Indigenous sovereignty is deeply connected to human

[439] Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015, p. 1

[440] "References to Indigenous Peoples in the Paris Agreement" <https://www.edf.org/sites/default/files/textreferences_ips_adopted_paris_agreement.pdf>

[441] Recall that for Mignolo, the environmental crisis and coloniality are co-constitutive, the environmental crisis begins with coloniality.

relationships with the environment. In both cases, treaties represented the Indigenous view that sovereignty means being in relation with other beings, including other-than-human life.[442]

By centering colonialism, rather than 'the environment/Nature,' Indigenous resurgence and sovereignty then becomes a core goal for environmental philosophers. Moreover, the systems of domination which constitute colonialism, the coloniality of power, become also revealed. In this way we see that environmentalism is inherently linked to anti-colonial, but also anti-racist, feminist, anti-imperialist, and anti-capitalist struggles. In other words, these struggles "shift the terrain on which environmentalism takes place, emphasizing instead how racism, colonialism, and environmental racism are manifestations of a larger capitalist logic of power."[443] I argue that Indigenous resistance draws on long-standing traditions of resistance which refute colonial, racist, and gender violence. Hence, Indigenous peoples are central protagonists in that their fight for sovereignty simultaneously offers alternative relationships to land, water, and between humans.

Finally, a quick caveat to my overall argument for this chapter: I focused on a particular settler colonial analysis, framed under the presumption that Indigeneity represented a counter-hegemonic relationship with the land (locality), and that settler colonialism disrupts that relationship. However, this definition of Indigeneity is perhaps overly simplistic, and the colonial structures of power across broader critical geographical analysis reveal complications. For instance, Wald et al., who agree that Indigenous sovereignty and land-back initiatives are important components of environmental justice, suggest that those things are not themselves a

[442] Estes, *Our History is the Future,* p. 204.

[443] Wald et al., *Latinx Environmentalisms,* p. 6.

complete account of the bio-politics or geographical violence of the colonial encounter. For instance, they show how analysis of Latinx environmentalisms, that is the systems of environmental ethics which Latinx cultures express, adds additional layers of complexity. Latinx cultures are not easily encapsulated by "Indigeneity," and share an "uneasy relationship" with settler colonialism. This is because they are both "perpetrators of colonial violence and objects of settler colonial dispossession."[444]

Because of such context-specific complexities, I am hesitant to offer a precise prescription for environmental philosophers from environmental justice beyond broad appeals such as centering Indigenous resurgence as a core project of environmental philosophy. What precisely this means will depend on the history and power dynamics at play.[445] The geo-political dimensions of knowledge and the coloniality of power are both vast histories and fields of inquiry. To try to offer a generalized prescription risks the possibility that locality will be lost in favor of delocality, and colonialism will once again slip into the background. Hence, each case will differ and more conceptual or contradictory complexities will likely arise. However, I remain optimistic that philosophers, of all scholars, will be able to handle conceptual complexities.

[444] Wald et al., *Latinx Environmentalisms,* p. 7.

[445] As I argue in chapter 1, this offers environmental philosophers the opportunity to work toward exploring and refuting the knowledge-power institutions which produce settler colonialism.

CHAPTER 4

CONCLUSION

In summary, I have argued that environmental philosophers can position themselves in solidarity with groups like the Water Protectors. As I discuss in chapter 1, solidarity involves critical self-reflection about the ways in which the discipline has participated in constructing settler fantasies about the environment.[446] Additionally, I emphasized an awareness of the institutionality of erasure produced in Western universities, a theme which continued in chapter 2. Specifically, regarding environmental philosophy, I described how the 'delocalizing' tendency within the discipline conceals Indigenous 'locality.' A 'localized' approach to environmental philosophy is context sensitive and works to disrupt the production of colonial fantasies. I argued that centering Indigenous voices was a key component of solidarity moving forward. In chapter 3 I explored how Indigenous sovereignty is linked to a localized sense of relations. Drawing on Indigenous environmental justice movements, I showed how a restorative orientation whereby environmental philosophy serves as a supporting role to Indigenous communities like Standing Rock opens opportunities to combat settler colonial erasure.

4.1 Absence and Erasure

When I started this project, the goal was to analyze the reaction of the academy to the events at Standing Rock. I was interested in whether scholars would pick up on and amplify the colonial context which provided the backdrop for the event. As the project narrowed into the

[446] I say 'participated' because I do not mean to suggest environmental philosophy *caused* domination,

scope of attending just to environmental philosophy, a key theme of the project became clear: absence.

As a main theme, absence emerged most singularly through the lack of environmental philosophy journal articles about Standing Rock. As I have argued in this dissertation, the silence of environmental philosophers about Standing Rock points to some broader issues within the discipline which facilitate erasure. In particular, lingering notions of a 'wilderness' or 'nature' devoid of other social considerations leaves environmental philosophy quiet about the violence we saw at Standing Rock. I explored this through a material lens asking what emerges from the coloniality of nature, which itself is occluded within settler environmental historiography. Additionally, I drew on Burkhart to discuss how philosophy's tendency for abstraction made it so that environmental philosophy often "floats free from the land."[447] I do not think these are mutually exclusive. In other words, the epistemic landscape of 'the environment' or 'nature' within settler society is a function of bringing about the disappearance of Indigenous peoples from the land. In this way, I argued that the absence of a discussion of Standing Rock was a type of complicity in the violence of settler erasure. This work contributes to the field by breaking the silence on Standing Rock and developing a vocabulary through which to begin to recognize settler colonialism as an environmental issue. Centering Indigenous self-determination and sovereignty, as well as locality, foregrounds settler colonialism as a project of erasure and should be a core focus for environmental philosophy moving forward.

Another challenge related to absence which I want to briefly mention is the

[447] Burkart, *Indigenizing Philosophy through the Land,* p. 21.

disappearance of sources. In the absence of an academic response, news sites and social media became resources for my research. Many videos and information about the events at Standing Rock were shared imminently on social media, as they were happening. As a result, the long-term availability of posts was not a priority and often I had to rely on separately uploaded media which was sparce. Moreover, links to articles about the event have a regular tendency to break, including pages on the Standing Rock Syllabus. Sources which I would use in the first draft of a chapter would disappear by the time I got back to formatting the footnotes. Most of the time I was able to contact whoever hosted the content and they were able to restore pages that were down, but not always and I had to let some good stories go. Even in the writing of the dissertation, I had to regularly contend with disappearance and absence.

4.2 The Path Forward

Moving beyond absence, Indigenous land-based practices (locality) which restore human relationships with the environment, along with epistemological decolonial thinking and doing, as Mignolo suggests, are the lampposts which guided this project and which I think can guide environmental philosophy. In this dissertation, I focused on the main narrative of the discipline through the institutionality of the four major journals. However, environmental philosophy does have traditions within the discipline which model a more grounded approach. Ecofeminist traditions, for instance, have a lot of parallels and overlap with critical environmental justice scholarship and storytelling-based writing. Ariel Salleh, for instance, has done ecofeminist work which draws close attention to Indigenous women's knowledges

(particularly Aboriginal women in Australia) as grounded practices of solidarity.[448] Vandana Shiva likewise grounds women's labor within the contexts of nature's reproductive capacities in a way that emphasizes the *re*-production of sustainable ecologies,[449] a similar restorative orientation to the emphasis on traditional female leadership among Indigenous communities like Standing Rock.

Applied ethics and field philosophy are themselves well suited frameworks for a localized-based interdisciplinary approach, so long as they are done in a way which centers the social aspects of environmental degradation. I would argue that scholars within the environmental justice movement are already practicing such approaches. However, the presence of ecofeminist and applied traditions have not been enough for Standing Rock to appear in the journals of the field. My intention is not to criticize these traditions. Rather, to suggest that they become a more central pivot for the discipline of environmental philosophy as a whole.

The project of imagining a new world is difficult. As Kim TallBear often remarks, "repatriation of land is easy to understand, hard to do. Restoration of Indigenous life is hard to understand."[450] In the broader sense of the academy as a settler colonial institution, there are some novel projects which Indigenous and non-Indigenous allies are undertaking to begin to transform academic and scientific spaces. For instance, Tallbear and other faculty at the University of Alberta Native Studies department have created an initiative called "Relab" whose

[448] Ariel Salleh, 1997. *Ecofeminism as Politics: nature, Marx, and the postmodern* (London: Zed Books Ltd), p. 133.

[449] Vandana Shiva, 1989. *Staying Alive: Women, Ecology and Development* (London: Zed Books Ltd), p. 45.

[450] I am paraphrasing from a talk she gave at McGill University, "Diversity V. Decolonization in the Academy, a Conversation with Kim TallBear."

mission it is to undertake "research-creation" projects which are grounded in making "good relations" between human bodies and the land, water, and more-than-human relatives.[451] Likewise, the Civic Laboratory for Environmental Action Research (CLEAR) challenges things on the scientific side, arguing that modern scientific theory which allows 'safe' amounts of pollution, does not respect relations with the land.[452] Finally, Eve Tuck has developed a post-talk Q&A protocol which works to facilitate a more welcoming space for Indigenous scholars, especially graduate students, and helps avoid the often hostile response which people of color receive in academic spaces.[453] While these are not universal solutions, it seems that a positive shift is occurring.

For my own orientation, I hope to springboard from this project into continuing to bridge decolonial and environmental justice literatures. One theme which emerged very early on in this project is the tension between de-linking epistemology (in the sense of Mignolo's *decoloniality*) and decolonization in terms of materiality via the repatriation of Indigenous lands, relationships, and ways of life (in the sense of Tuck and Yang's *Decolonization is not a metaphor*). As scholars like Wald, et al., have shown,[454] there is room for generative work combining Latin American decolonial philosophy with Indigenous and Native studies about human-environment relations and about the geo-politics of knowledge more generally. Put

[451] Kim TallBear, 2017. "Re-story, Research, and Reclaim Indigenous Sexualities and Relations" Presented at the Trudeau Project Proposal 6. <http://www.fondationtrudeau.ca/sites/default/files/tallbear_kim._2017_trudeau_project-revised_20_juin_2018.pdf>

[452] Max Liboiron, 2021. *Pollution is Colonialism* (Durham: Duke University Press) p. 5.

[453] Eve Tuck, Jun 19, 2019. Twitter Post. https://twitter.com/tuckeve/status/1141501422611128320?lang=en

[454] Sarah D. Wald, David J. Vázquez, Priscilla Solis Ybarra, and Sarah Jaquette Ray (editors), 2019. *Latinx Environmentalisms: Place, Justice, and the Decolonial*. (Philadelphia: Temple University Press)

another way, I want to continue to explore how the Western University continues to occlude and enable settler colonial theft of land.

As I discussed in chapter 1, a dissertation is a difficult site for solidarity. Within the parameters of the dissertation's scope, I have tried to take an approach which models what solidarity might look like. Beyond trying to model solidarity, the dissertation hopefully produces some material changes. The UNT Style Guide for dissertations requests that all non-English words (which they categorize as 'foreign') be italicized, something which was not done for the Lakotayapi nouns in this work. I intend to challenge this aspect of the Style Guide, since Indigenous languages are less foreign than English to these lands and because part of justice is the re-naming or re-claiming of Indigenous names. Should I succeed in my efforts, and I intend to be quite stubborn, it will pave the way for future dissertations at UNT to do the same with other aspects of linguistic justice. Additionally, with the assistance of my committee chair Dr. Kim De Wolff, we were able to begin the defense process with a land acknowledgement and I hope to see that protocol become standard for future defenses.

For the future of this work, thinking beyond the dissertation, considering this project moving on into the direction of a book opens more pathways for solidarity and building of radical relations. A concrete example would be facilitating Latin American decolonial philosophers and Indigenous scholars to assist in a compilation of writings in an edited volume and co-authoring collaborative works and projects. Books, in contrast to the journals which I analyzed in this dissertation, offer more precise, disruptive, and creative formats for challenging settler colonialism. For instance, in her book, Julie Sze includes Indigenous affiliations where

appropriate when discussing the work of Indigenous scholars.[455]

Expanding on Sze's strategy, thinking about ways to express the multifaceted (though often occluded) localities which produce scholars and disciplines is a clear next step which I see as extending out of the decolonial de-linking of epistemology I began in the dissertation. Thinking about the relationality of the discipline of environmental philosophy (or any academic discipline) to the struggle for land at Standing Rock and other rebirths can suggest opportunities for re-orientation. For environmental philosophy, it would be prudent to think about whose interests (which relations) the journals of environmental philosophy serve. As I have argued, presently the journals continue to serve the interests of the colonial Western university, rather than Indigenous resurgence.

Indigenous scholars often describe conflicting duties to their academic discipline and their relations with their tribal or Indigenous affiliations.[456] For instance, Daryl Baldwin has explained that his work with the Miami University of Ohio reviving and teaching Myaamia language is animated primarily by responsibilities to his tribe, both to elders and future generations. As such, he acts as a kind of buffer between the delocalized approach of the discipline of linguistics and the political ramifications of language revitalization for Miami people in Oklahoma. His careful positionality ensures that the preservation and restoration of

[455] While I share Sze's commitment to emphasizing Indigenous relations, I did not do the same in this dissertation because I did not want to inadvertently emphasize Indigenous/non-Indigenous binaries over systems of relations to settler colonialism. I do not mean to suggest that Sze produces this dichotomy in her own work. Rather that I focused on setter relations producing responsibilities to disrupt erasure. Moreover, I worried that specifically naming the relations of Indigenous people while excluding the relations of non-Indigenous scholars might suggest that non-Indigenous scholars do not have relations. They do, and attention to these relations, and the violence they often produce, is crucial for moving toward a 'localized' approach.

[456] I gave a few examples of this in chapter 1, but here I offer another example which is more precisely relevant for this point.

language is in service of Indigenous resurgence over and above the extractive tendencies of the Western university.[457] An investigation of the relations which individual scholars have to settler colonialism can reveal blindspots and avenues of resistance. A localized approach sees scholars reflect critically on their own locality and which relations they serve.

A localized approach to scholarship is one which embodies practices which produce just relations, such as Baldwin's. Projects and practices already present in academic spaces should engage with the question of relationality. The examples of Tallbear, Tuck, and Liboiron all point in this direction. However, localized practices will necessarily be context specific, otherwise they risk becoming delocalizing. Some models for thinking through a relations-based, localized approach to environmental philosophy can already be found in the works and projects of Kyle Whyte and Brian Burkhart, who both draw on their relations to inform their roles as environmental philosophers.

Thinking of the project beyond just translating this dissertation into a book, I can imagine working to cultivate good relations through practices of engaged pedagogy, collaborative approaches, and transformative research which build on the themes of Indigenous resurgence. What particular forms these will take are still being revealed to me. In that sense, the future of this project is much more than a book. It is a commitment to the pursuit and creation of just relations with the discipline of environmental philosophy moving forward.

[457] Macfound. Sep 21, 2016. "Linguist and Cultural Preservationist Daryl Baldwin | 2016 MacArthur Fellow" YouTube (3:24) https://www.youtube.com/watch?v=Nof211qarKc

4.3 Update about Standing Rock

On July 6 of 2020, United States District Judge James Boasberg ordered that the Dakota Access Pipeline be shut down,[458] while the government conducts appropriate safety and impact assessments. Boasberg ruled that the "U.S. Army Corps of Engineers did not adequately consider the impacts of an oil spill on fishing rights, hunting rights, or environmental justice."[459] Perhaps unintentionally humorously, but certainly revealing, he added that the USACE failed to consider "the degree to which the pipeline's effects are likely to be highly controversial."[460] It seems that the resulting controversy of the pipeline was equally troubling for the court as was the threat to Indigenous sovereignty and life.

Despite the assurances of pipeline safety so confidently professed back in 2014, 'Energy Transfer Operating, L.P.' (the new public relations name for Energy Transfer Partners) was disinclined to commit to a full environmental review. While this was a significant victory for the Tribe, representatives for DAPL worked to file an appeal seeking to overturn the court-ordered shutdown on the same day. By the arrival of the shut-off day, DAPL representatives had been able to coerce a staying order which allowed the flow of oil uninterrupted while the case moved to higher courts. On January 26th of 2021, the U.S. Court of Appeals for the D.C. Circuit upheld Boasberg's decision that the USACE had violated environmental laws by not producing a

[458] Standing Rock Sioux Tribe and Cheyenne River Sioux Tribe vs U.S. Army Corps of Engineers and Dakota Access, LLC. Civil Action No. 16-1534 (JEB)

[459] Erik Sherman, Jun 14 2017. "Court Sends Dakota Pipeline Back to the Environmental Drawing Board," *Forbes* <https://www.forbes.com/sites/eriksherman/2017/06/14/court-sends-dakota-pipeline-back-to-the-environmental-drawing-board/?sh=59811e15580a>

[460] Ibid.

full environmental impact statement for the pipeline.[461] Subsequently, the Standing Rock Sioux Tribe has renewed its request for an injunction which would stop the flow of oil through the pipeline until the impact statement is completed.[462]

While committing to halting the flow of oil through the Keystone XL Pipeline, the Biden Administration has not acquiesced to the Tribe's request to shutdown DAPL. The stalling appeals by DAPL representatives and contradictory silence of the Biden Administration point toward efforts to display a narrative of progress without material change. Despite consistent legal victories, the flow of oil has proceeded without pause. In January, 75 Indigenous women elders and leaders sent a letter calling on President Biden to halt DAPL as well as other pipeline projects.[463] Among the signatories are many familiar names, Faith Spotted Eagle, LaDonna Brave Bull Allard, and Winona LaDuke, just to name a few.

The next court hearing for the litigation will occur on April 9.[464] The Water Protectors still Stand and it's not over.

[461] Standing Rock Sioux Tribe, Et al., v. United States Army Corps of Engineers and Dakota Access, LLC. USCA Case #20-5197 <https://earthjustice.org/sites/default/files/files/dc_cir_dapl_opinion.pdf>

[462] Standing Rock Sioux Tribe and Cheyenne River Sioux Tribe vs U.S. Army Corps of Engineers and Dakota Access, LLC. Civil Action No. 16-1534 (JEB)

[463] Casey Camp-Horinek, et al., Jan 14, 2021. "Letter to President-Elect Biden" <https://d99d2e8d-06c9-433b-915d-f6e381b1acd4.usrfiles.com/ugd/d99d2e_bac8dc29b9d54086a076b5aa6a3f5644.pdf>

[464] *EarthJustice,* "The Standing Rock Sioux Tribe's Litigation on the Dakota Access Pipeline" Accessed, March 30, 2021. <https://earthjustice.org/features/faq-standing-rock-litigation>

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